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**ORDINARY MEETING  
OF  
PŪRORO RANGARANGA - SOCIAL, CULTURAL AND  
ECONOMIC  
AGENDA**

**Time:** 10:45am  
**Date:** Tuesday, 2 November 2021  
**Venue:** Ngake (16.09)  
Level 16, Tahiwi  
113 The Terrace  
Wellington

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**MEMBERSHIP**

Mayor Foster  
Deputy Mayor Free  
Councillor Calvert  
Councillor Condie  
Councillor Day (Chair)  
Councillor Fitzsimons  
Councillor Foon  
Liz Kelly  
Councillor Matthews  
Councillor O'Neill  
Councillor Pannett  
Councillor Paul  
Councillor Rush  
Councillor Woolf  
Councillor Young (Deputy 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](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. All Council and committee meetings are livestreamed on our YouTube page. This includes any public participation at the meeting.*

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## **AREA OF FOCUS**

The Pūroro Rangaranga | Social, Cultural and Economic Committee has the following responsibilities:

- Arts, Culture, and Community Services
- Wellington City Social Housing
- Council's City Events
- Parking Services
- Parks, Sport and Recreation
- Community resilience
- Economic development
- Māori Strategic Development.

The Committee has the responsibility to discuss and approve a forward agenda.

To read the full delegations of this committee, please visit [wellington.govt.nz/meetings](https://wellington.govt.nz/meetings).

**Quorum:** 9 members



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## 1. Meeting Conduct

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### 1.1 Karakia

The Chairperson will open the meeting with a karakia.

**Whakataka te hau ki te uru,  
Whakataka te hau ki te tonga.  
Kia mākinakina ki uta,  
Kia mātaratara ki tai.  
E hī ake ana te atākura.  
He tio, he huka, he hauhū.  
Tihei Mauri Ora!**

Cease oh winds of the west  
and of the south  
Let the bracing breezes flow,  
over the land and the sea.  
Let the red-tipped dawn come  
with a sharpened edge, a touch of frost,  
a promise of a glorious day

At the appropriate time, the following karakia will be read to close the meeting.

**Unuhia, unuhia, unuhia ki te uru tapu nui  
Kia wātea, kia māmā, te ngākau, te tinana,  
te wairua  
I te ara takatū  
Koia rā e Rongo, whakairia ake ki runga  
Kia wātea, kia wātea  
Āe rā, kua wātea!**

Draw on, draw on  
Draw on the supreme sacredness  
To clear, to free the heart, the body  
and the spirit of mankind  
Oh Rongo, above (symbol of peace)  
Let this all be done in unity

### 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 7 October 2021 will be put to the Pūroro Rangaranga | Social, Cultural and Economic 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 Pūroro Rangaranga | Social, Cultural and Economic 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 Pūroro Rangaranga | Social, Cultural and Economic Committee.

***Minor Matters relating to the General Business of the Pūroro Rangaranga | Social, Cultural and Economic 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 Pūroro Rangaranga | Social, Cultural and Economic 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 31.2 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.

## 2. General Business

# OUTCOME OF CITY HOUSING TENANCY SERVICES REVIEW

### Kōrero taunaki

### Summary of considerations

#### Purpose

1. This report provides a summary of the outcome of the independent review into City Housing's tenancy services, following the homicide in a City Housing property earlier this year.
2. The purpose of the review was to critically assess how Wellington City Council provides support services for City Housing tenants, gain an understanding of any areas for potential improvement in our service model, and determine how our services compare to those delivered to social housing tenants elsewhere in Aotearoa New Zealand.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- |  |   |
|--|---|
| <b>Strategic alignment<br/>with priority<br/>objective areas from<br/>Long-term Plan<br/>2021–2031</b> | <input type="checkbox"/> Sustainable, natural eco city                                      |
|  | <input type="checkbox"/> People friendly, compact, safe and accessible capital city         |
|  | <input checked="" type="checkbox"/> Innovative, inclusive and creative city                 |
|  | <input type="checkbox"/> Dynamic and sustainable economy                                    |
|  | <input type="checkbox"/> Functioning, resilient and reliable three waters infrastructure    |
|  | <input checked="" type="checkbox"/> Affordable, resilient and safe place to live            |
|  | <input type="checkbox"/> Safe, resilient and reliable core transport infrastructure network |
|  | <input type="checkbox"/> Fit-for-purpose community, creative and cultural spaces            |
|  | <input type="checkbox"/> Accelerating zero-carbon and waste-free transition                 |
|  | <input type="checkbox"/> Strong partnerships with mana whenua                               |

#### Relevant Previous decisions

N/A

#### Financial considerations

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Nil | <input type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|---|--|---|

#### Risk

- |   |                                 |                               |                                  |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

Authors	Angelique Jackson, City Housing Manager Katherine Meerman, Chief Advisor
Authoriser	James Roberts, Chief Operations Officer (Acting)

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## **Taunakitanga**

### **Officers' Recommendations**

Officers recommend that Pūroro Rangaranga | Social, Cultural and Economic Committee:

1. Receive the information
2. Note the recommendations of the independent review and that these are being implemented by City Housing.

## **Whakarāpopoto**

### **Executive Summary**

3. Following a homicide in a City Housing property earlier this year, an independent review was commissioned of City Housing's tenancy support services to determine what currently works well for tenants, where services could be improved, and what could be learned from other services provided to social housing tenants across New Zealand.
4. The review was completed by the RDC Group and involved a review of City Housing documentation, interviews with tenants, staff, Councillors, other social housing providers and stakeholders.
5. Overall, the review confirmed that tenants are well supported by City Housing and recognised that many improvements in tenancy services are already underway. The review identified some further areas for improvement, which have been accepted and will be actioned by the City Housing team.
6. The review concluded that City Housing provides a high level of services to the tenant community and this view is reinforced by the recent Tenant Satisfaction Survey results (August 2021), with 93% of tenants reporting that they were satisfied with City Housing services and facilities.
7. The review identified the following further areas for improvement:
  - Consideration of segmentation of the tenant base in line with the approach taken by Kāinga Ora
  - Establishing an MOU between City Housing and health and support agencies
  - Quarterly reports from City Housing to Councillors
  - Regular engagement between senior City Housing staff and agencies
  - Further changes to communication and engagement with tenants
  - Coordinated response between City Housing and other WCC business units
  - Update and approve the housing policy that has been previously put on hold.
8. As outlined in this report, there are several initiatives and workstreams already underway that will address most of the review's recommendations. For the remaining recommendations, these have been accepted by City Housing and officers will put together an action plan and timelines to ensure these are completed.

## **Takenga mai**

### **Background**

9. A homicide took place in the home of a City Housing tenant on 24 April 2021. The person was known to the deceased and was located a short time after the incident by Police. An internal investigation found that this tenant was receiving appropriate support and tenancy services right up until the time of her death.

10. Following the homicide, an external review was commissioned to look at all support services that City Housing provides to determine whether changes were needed to City Housing's current tenancy support services. The RDC Group (Doug Craig and Mary Slater) was commissioned to carry out this review, and both reviewers have extensive public sector experience, including knowledge of local government and the housing sector and service provision.
11. The review included consideration of City Housing's current policies and 21 interviews with tenants, City Housing staff, Councillors, support agencies and other housing providers. Interviews focused on three evaluative questions:
  - What works well currently with City Housing's tenancy support services?
  - What doesn't work well currently with support services?
  - Where are the potential areas for improvement?
12. These questions were applied to three domains:
  - The support offered to tenants as individuals
  - The support offered to the tenant communities in their neighbourhoods
  - The way that City Housing and other key social agencies work together to support tenants.

## **Kōrerorero**

### **Discussion**

13. Overall, the review confirmed that tenants are well supported by City Housing and recognised that many improvements in tenancy services are already underway (these initiatives are discussed below). The review identified some further areas for improvement, which have been accepted and will be actioned by the City Housing team.
14. The review concluded that City Housing provides a high level of services to the tenant community and this view is reinforced by the recent Tenant Satisfaction Survey results (August 2021), with 93% of tenants reporting that they were satisfied with City Housing services and facilities.
15. There are several initiatives and workstreams already underway that will address most of the review's recommendations. For the remaining recommendations, these have been accepted by City Housing and officers will put together an action plan and timelines to ensure these are completed this financial year.
16. The following initiatives are underway and directly respond to the review's recommendations and areas for improvement.
  - **Tenant Communications Project** – an audit of all tenant communications, email, letter, txt and welcome packs is underway. This also includes a review of maintenance communication, the implementation of a tenant communications strategy, updated templates, and style guides. Officers are involving tenants and support agencies in this work. A revamped tenant newsletter has already been completed and has received good feedback from tenants.
  - **Tenant Compliments and Complaints Policy** – currently there is not a set policy to manage complaints and compliments which can lead to inconsistency of practice across the team and makes it difficult for reporting purposes. A draft policy has been developed and this is currently out for consultation with City Housing staff for their feedback. Once staff consultation is completed, the next step will be to consult with tenants for their feedback. The policy will be finalised by early to mid-2022.
  - **Tenancy Management System (TMS) Replacement** – City Housing has a 20-year-old IT system which places a heavy administration burden on staff which can take up to 50% of their time on any given week. The replacement work is underway and detailed design work has begun. The new TMS will improve efficiencies for tenancy

management staff, allowing for more time for interaction with tenants and more options to engage together. Tenants will also have a portal that they can send feedback through, check their rent accounts, log jobs etc. The first phase of this project is due to go live in April 2022.

- **Digital Inclusion** – as well as the replacement TMS, City Housing is looking at different ways to improve digital access for tenants. The team is working with Smart Council on a free WiFi pilot on two sites and the plan is to roll this pilot out before Christmas. Work is also underway to rollout free UFB connections into tenant homes to encourage digital connection – this pilot has been evaluated and we are planning next steps.
- **Tenancy Advisor Site Offices** – we have opened six onsite Tenancy Advisor offices over the past 12 months. This allows Tenancy Advisors to work onsite at least two days per week which provides greater opportunity to interact with and support tenants. Some of the key benefits of this are:
  - Tenants get to know their Tenancy Advisor and can bring up issues in a trusting environment
  - Tenants don't have to wait on the phone and/or go into the Service Centre, which is a barrier for many tenants to accessing the help they need
  - Tenancy Advisors have more direct contact with their tenants and the community as a whole and, as such, can spot issues earlier and follow up as needed
  - Greater support for tenants with English as a Second Language or accessibility issues and allows Tenancy Advisors to explain/show things in a more tenant-centric way.
- **Community Development** – our community development initiatives are reaching more tenants over time and this was highlighted by the increase in Christmas events last year and Communities in Action (CIA) fund applications. Site-specific pilots for community-led initiatives are being rolled out this quarter and have increased activities within community rooms/spaces (Covid level dependent).
- **Cross Council Relationships** – City Housing has initiated several cross-Council projects over the last 6 – 12 months to improve support available for tenants, including:
  - A community spaces hui with several WCC business units to improve City Housing community room use and encourage other groups to engage with our tenants, which has led to several joint workstreams, such as partnerships with the Parks team to work with our tenant gardeners, engagement with the Play team to work with children in our complexes, and implementation of a children's library at Central Park apartments with the Libraries team
  - Joined-up approaches across multiple WCC teams for Covid response and vaccination events. This has included City Housing and Communities Services teams supporting two vaccination events across Pōneke and working with Public Health, KWS and CCDHB to have a rollout plan in City Housing community spaces.

## **Ngā mahinga e whai ake nei**

### **Next actions**

17. The review also made several further recommendations for improvement and these have been accepted by City Housing. City Housing staff will develop a plan to implement the remaining recommendations before the end of this financial year. These recommendations include:



- **Reduced portfolio sizes and data segmentation** – this recommendation refers to the portfolio sizes managed by City Housing’s tenancy advisers. A recruitment process is currently underway and once this is completed (est. November 2021), portfolio sizes will reduce from 235 to 169 properties per Tenancy Adviser (this ratio is as per our capacity plan in the LTP) enabling Tenancy Advisers to provide a greater level of support for the tenants in their properties and get to know their tenant communities more effectively. We will then roll out data-led segmentation which will assist Tenancy Advisers to ensure that those most in need are getting the right amount of support. It will also allow more targeted community development initiatives based on the demographic profile of the individuals and whānau living at each complex.
- **MOU with support agencies** – the review recommended establishing an MOU with other support agencies that City Housing works closely with in order to support tenants to access relevant health and social services. There are important privacy, data sovereignty and consent implications of this recommendation and the City Housing team (and other agencies) will consider these as part of implementing this recommendation.
- **Reporting to Councillors** - City Housing produces an internal quarterly report to track key areas of performance. This is being enhanced and will then be made available to Councillors on an ongoing basis once any recommended changes are incorporated.
- **Enhanced and more frequent City Housing/agency meetings** – City Housing staff have initiated regular cross-agency meetings, but lockdown has made these in person hui very challenging. We are looking to adapt the approach to these to ensure they are fit for purpose and achieving outcomes for tenants.
- **Housing Policy** – we will be unable to respond to this recommendation in full until final decisions are made on City Housing’s future as the workstreams underway for the City Housing sustainability work would have implications for most of the proposed housing policy changes. In the interim, City Housing has made some operational changes, such as lifting the income thresholds, to ensure that more tenants can afford to stay in their properties and improving our allocation model, which is resulting in quicker timeframes to get homes ready to let.

## **Attachments**

Attachment 1. WCC Tenancy Services Model Review Final Report  
September 2021 [↓](#) 

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23 September 2021

## **Review of tenant support and tenant- facing services provided by City Housing**

**Wellington City Council  
Me Heke Ki Pōneke**

RDC Group Ltd

Review of Wellington City Housing  
Tenant Support  
and Tenant-facing services

23.09.2021

RDC Group Ltd

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This report responds to Wellington City Council's request for an independent review of the Council's tenant support and tenancy services model.

## 1. Background

WCC has provided safe, secure and affordable housing in Wellington since the 1950's, and is the largest council social housing provider in New Zealand, and in Wellington, with 3200 tenants and 1927 units<sup>1,2</sup>

The housing is organised in sixty-three complexes across Wellington, which range in size from 1 dwelling to 205 dwellings. While 64% of tenants live alone, there are many families, and the biggest single age group is 5 – 9 year-olds (250). Only 19% of tenants are over 65yrs which makes City Housing very different to most other Council housing across Aotearoa, which is predominately pensioner housing.

City Housing provides a range of additional services designed to support tenants with respect to their social, emotional and physical well-being. Some tenants have complex needs that require specialist services. City Housing works with external agencies to provide wraparound services and support for tenants who need them.

A major upgrade programme for the housing, supported by a \$220m grant from central government, commenced in 2008. Some 50% of the stock has now been upgraded<sup>3</sup>, and it is expected that the balance of the upgrade will commence in 2022. The Council commenced the work needed to meet the Healthy Homes standards in early 2021.<sup>4</sup>

City Housing is a self-contained business unit within the Council's wider operations which manages its social housing. Its revenue is provided only through rental income.

A meeting of the Council on 2 June this year considered the financial challenges facing City Housing. An operating deficit of \$7m is expected in FY 2021/22, and significant capital is required to complete the upgrade programme. Officers were directed to consider options for the future in response to the financial challenges, and are to report back in late September 2021. Council decisions on the future management of its social housing are expected at that meeting.

While these matters are out of scope for this review (see below), they provide important context.

## 2. Context and Purpose

The purpose of this review was to critically assess and consider how Wellington City Council provides support services for its tenants in City Housing. Importantly, we were asked to provide insights and help Council develop an understanding of any limitations to the services it currently provides under its tenancy services model which have an impact on the level of support services that it provides. We were also asked to identify and advise on

<sup>1</sup> P81, background papers for 2 June 2021 Council meeting. The 2007 Deed of Grant described social housing as "affordable residential rental accommodation owned by the Council and available for use by tenants of the Council and allocated to people in housing need".

<sup>2</sup> City Housing also provides tenancy services for 26 properties for Porirua City Council, 7 properties for Parks, Sport and Recreation. A further 52 properties at Te Kāinga Aroha are managed by Wellington City Council, separate from City Housing. As such they are outside the scope of this review.

<sup>3</sup> P10, background papers for 2 June 2021 Council meeting.

<sup>4</sup> Email communication 5 September 2021.

how current services compare to those delivered by other agencies to social housing tenants elsewhere in Aotearoa New Zealand.

As well as understanding the opportunities to improve services for tenants Council also wished to understand the opportunities there are to provide services that support effective and safe neighbourhoods and communities. Part of the context for this part of the review was the tragic death of a tenant who was killed in her home in one of Central Park Apartments.<sup>5</sup> It should be noted that an internal review determined this tenant was receiving appropriate support and tenancy services up to the time of her unfortunate death.

Finally, the Review looked at the model for partnering with people and other agencies to support our tenants and make the homes and communities they live in safe and thriving.

The range of services and level of tenant support provided by City Housing is expressed through the current operational policy framework. This framework was intended to be reviewed as part of the existing City Housing work programme this year given the framework has been in place since 2010. Through this review Council wants to ensure that these services are fit for purpose, reflect good practice and are delivered well.

### 3. Scope

The Terms of Reference (see Appendix One) asked us to:

- Examine the tenancy support and management policies, practices and procedures at the Wellington City Council City Housing properties.
- Review and clarify the on-site support services provided by Wellington City Council to tenants in City Housing properties and compare these to the support services provided by other local government bodies who provide community housing services.
- Review how we City Housing partners and works with Central Government agencies, non-government organisations and iwi to provide support services to our tenants.
- Review the operational policies and procedures of City Housing and identify opportunities for how these could be improved on.
- Review the activities that support tenants to live in safe and thriving communities including activities designed to identify and respond to safety and community cohesion risks. Identify opportunities to enhance these.
- Review and research opportunities to improve the tenants experience noting our current limitations and operating/funding constraints.

The following areas were out of scope:

- WCC's building stock and asset management.
- The current funding model and financial challenges.

### 4. Review approach and limitations

The review's approach is set out in the Terms of Reference (Appendix 1) and was expected to include the review of documentation and interviews with relevant people. Appendix Two lists the documents reviewed, and Appendix Three lists the individuals interviewed (in the case of WCC) and the organisations whose representatives we interviewed.

<sup>5</sup> <https://www.stuff.co.nz/national/crime/300285665/city-councillor-raises-concerns-about-supports-in-council-housing-after-woman-found-dead>



Review of Wellington City Housing  
Tenant Support  
and Tenant-facing services

23.09.2021

RDC Group Ltd

In relation to City Housing the documents we reviewed were those recommended by the key WCC staff with whom we liaised in the course of the review, and supplementary papers we requested as we went through our work.

Documents relating to other social housing providers were identified by us, and the providers, in the course of the interviews.

We undertook 21 interviews, of which 2 were group interviews (with tenancy advisors, and with tenant community volunteers within City Housing's complexes, most of whom are designated as kaitiaki).

In addition, two NGOs replied to an email questionnaire using the same questions as the interviews.

The interviewees were chosen by the key WCC staff with whom we liaised in the course of the review.

The interview questions focused on City Housing's tenant support and were designed to elicit opinions and judgements from the interviewees, based on their experiences, and their aspirations for the future. At a high level they were structured around three evaluative questions:

1. What works well
2. What doesn't work well
3. What improvements would you like to see.

And those questions were applied to three domains:

1. The support offered to tenants as individuals
2. The support offered to the tenant communities in their neighbourhoods
3. The way that City Housing and other key social agencies work together to support tenants.

The questions were modified, and extended, according to the circumstances, knowledge and experience of the interviewees.

The review approach, in other words, was qualitative. While the insights gained are important, and have some depth, they can't be generalised or validly aggregated. For example, the views of the tenant kaitiaki who met with us are their views, but can't be assumed to be the views of all kaitiaki nor of the tenants as a whole. (The results of the annual tenant surveys are very helpful in this regard, and are referred to in our report, although their focus is somewhat different from this review).

The questions used to guide the interviews with other social housing providers were designed to provide a picture of the way other broadly equivalent providers approach their responsibilities to their tenants, and to enable us to identify any lessons that can be learned from them.

## **5. Acknowledgements**

This review is limited to assessing the City Housing's tenancy and tenancy support model and functions to ensure that they are fit for purpose and meet the needs of tenants and Council's expectations now and into the future.

The review does not make any comment on the professional competence or general conduct of any individual or groups.

We would like to acknowledge the thoughtful, open and constructive input from the individuals, teams and organisations who contributed to the review. Everyone we met with was universally generous with their time, passionate about, and committed to the work they do to support tenants and the communities they live in.

## **6. How does WCC / City Housing approach its role?**

The Council's strategic and operational policy framework for the work of City Housing was established in 2010<sup>6</sup>.

The policy document's opening paragraphs confirm the Council's commitment to the provision of social housing below market rent to households who experience barriers to affordable housing. Further, that rents are to be affordable and are to generate enough revenue to maintain the homes<sup>7</sup>.

Its vision, objectives, and principles are that:

- Vision – all Wellingtonians have access to accommodation that's fit for purpose. Council contributes by providing some social housing for people who would otherwise have barriers to accessing appropriate and affordable accommodation.
- Objectives – appropriate and affordable housing; safe and secure housing to a good standard; communities where people feel safe, have a sense of belonging and are proud (to call their houses) home; support for Council tenants to improve their quality of life and well-being and to contribute to and benefit from living in Wellington.
- Principles – work in partnership to improve the lives of tenants; ensure the housing portfolio is financially sustainable into the future and affordable for tenants; response to demand for social housing is equitable and efficiently (managed); commitment to resilient and cohesive communities; provide a high-quality service to tenant.<sup>8</sup>

The policy commits the Council to working in partnership with Kāinga Ora (then HCNZ), with other government agencies, and with support agencies to improve tenant well-being. The Council committed to recognising and involving the expertise of community and government agencies.<sup>9</sup>

In relation to tenancy management, the policy commits WCC to three programmes whose aim is tenant support and community development.<sup>10</sup>

- i. Housing Plus – aims to increase the presence of tenancy managers on site, develop effective communications between tenancy managers and tenants, fostering agency partnerships, providing case management for high risk/high needs tenancies.
- ii. Community Action – goals of this programme are to provide opportunities for tenants to: improve their physical environment; create and participate in activities; increase their sense of safety and well-being; meet others and participate in community celebrations; develop leadership skills; get access to social and recreational programmes; develop creative expression through artistic endeavours; build confidence, self-reliance and a positive sense of identity; access primary health and wellness services and information; contribute to the regeneration of communities; access training and employment opportunities.

<sup>6</sup> A refreshed policy framework has been drafted for Council approval but is not (yet) adopted because the wider picture of financial sustainability needs to be resolved. Email communication, 17 June 2021

<sup>7</sup> 2010 *A Policy for WCC's Social Housing Service*, p2

<sup>8</sup> 2010 *A Policy for WCC's Social Housing Service*, p1

<sup>9</sup> 2010 *A Policy for WCC's Social Housing Service*, pp 4,9

<sup>10</sup> 2010 *A Policy for WCC's Social Housing Service*, p10

- iii. Tenancy representation – WCC recognises the Wellington Housing Association of Tenants. It was established to: represent tenants in Council housing; be recognised as the formal joint voice of tenants; negotiate with Council on behalf of tenants on matters of concern; promote communication among tenant groups; support the work of tenant groups; work towards tenants having control of their housing; promote processes to allow all tenants to have a say in decision-making.

The expectation was that the policy should be reviewed every five years, but while one or more reviews was initiated none was finalised.<sup>11</sup> Notwithstanding, there has been considerable detailed work done in 2020/2021 to refresh the overall housing policy, rent-setting policy, and tenancy operational guidelines. On our read of the draft policies, the vision, objectives and principles established in 2010 remain at the heart of the draft 2020/21 policies, with the possible exception of tenancy representation.<sup>12</sup>

In practice City Housing operationalises its commitment to provide support to tenants in two key domains: tenants who live in its dwellings, and as communities. These are discussed below in sections 7, 8 and 10.

## **7. Services to all tenants<sup>13</sup>**

City Housing currently has a group of 12 tenant advisors, with further recruitment underway to fill a number of vacancies. They make sure new tenants are welcomed to their dwellings, administer transfers and oversee the ending of tenancies. The advisors undertake annual inspections of the dwellings, and provide advice and assistance to tenants as required, including responding to rent arrears, property damage, and facilitating the resolution of difficulties tenants experience with the company which is contracted to provide property and facilities management services.

Currently tenancy advisors have a portfolio of around 250 households, and is expected to be reasonably easily accessible to tenants on a weekly basis, often through making themselves available for 'drop in' meetings with tenants in the community rooms built into the larger complexes. The advisors are a key link in ensuring tenants access health and social services when needed, and in connecting tenants with City Housing's community development work.

Once the recruitment underway has been completed, it is estimated that there will be a reduction on portfolio size for tenancy advisors to an average of 170 households.

City Housing's recruitment of tenancy advisors aims to ensure diversity among advisors to reflect the diversity of tenants.<sup>14</sup>

The wider Council's 24/7 Contact Centre, and its business hours Service Centre, ensure that tenants can always access advice and assistance.

## **8. Services to enhance the well-being of tenants**

### **8.1. City Housing provides a welfare service to support the wellbeing of tenants at the individual / household level.**

This welfare service is provided through a dedicated staff member whose role is designated as a *tenancy case manager*. At the time of our interview with the tenancy case manager we

<sup>11</sup> Conversation with City Housing staffer 29 June 2021.

<sup>12</sup> The arrangements that applied at that time no longer apply - the tenants organisation (Wellington Housing Association of Tenants) no longer exists.

<sup>13</sup> This aspect of City Housing's service is the equivalent of the *Housing Plus* framing in the 2010 policy.

<sup>14</sup> Interview with City Housing managers. They noted that despite best attempts, recruiting Māori tenancy advisers has proved very difficult.



were advised she had a caseload of 58, 20 of whom were described as being tenants with high and complex needs.

The case manager provides extra support to tenants who need it. She acts both to understand the special needs of tenants referred to her by tenancy advisors, Police, and others; and – where needed – to link them up with whichever of the many government and NGO agencies in the area is best placed to assist. Once services are set up and working, she moves away.

Information about her work with tenants is added to the existing tenancy management system so that tenancy advisors can see it, take it into account, and ensure that their engagement with the tenant complements the work of the case manager.

The role is a network one, working as a team with other City Housing staff (particularly the tenancy advisors) and with health and social service agencies. Its success depends on well-developed and well-maintained relationships across Wellington's health and social service providers, including active participation in the many multi-agency forums across Wellington designed to coordinate service provision.

## **8.2. Alongside services for individual tenants, City Housing provides a community development service<sup>15</sup>**

This service is provided by a staff member whose role is designated as a Senior Advisor Community Development. Her role is to build relationships and networks with community agencies; and to support activities run by them and by tenants in City Housing's community spaces

Appendix Five describes the rationale behind the approach, the outcomes the activities are designed to contribute to, and the groups that participate in the programme. The advisor facilitates connections for tenants to services and groups in the wider community that promote a sense of belonging and wellbeing.

The community development work is supported by some 38 tenant community volunteers, who are trained and supported as tenant community leaders / kaitiaki. They promote community building by leading or supporting events, gardening and ongoing activities.

This aspect of City Housing's work has undergone a real shift in recent years. It was initially envisaged as a service to sustain communities of tenants whose properties were being upgraded, in recognition of the risk that social cohesion would be lost as tenants were moved out of their houses into temporary accommodation and then back into refurbished dwellings. Over time it also became a programme of activities organised by Council staff, albeit supported by volunteers.

A critical review of the programme<sup>16</sup> prompted a rethink. City Housing staff now have much more of a facilitative role, looking to encourage the community's leadership and ownership of initiatives which are relevant to a specific community's needs, rather than the provision of activities by staff. Training for tenant community volunteers has been developed, as has a Code of Conduct.

This work relies on networked connections too, just like the work of the case manager. Key internal partners include the tenant advisors and the wider community development work of the City Council, which is focused on all Wellingtonians. To support the latter connections the senior advisor co-locates with that team for a day a week.

<sup>15</sup> This aspect of City Housing's service is broadly equivalent to the *Community Action* framing in the 2010 policy.

<sup>16</sup> Sonia Ogier *City Housing Operational Review – a Discussion Document* 30 October 2017

### **8.3. Communication to tenants from City Housing**

These multi-faceted relationships between City Housing and its tenants are supported by multiple communications, including hard-copy newsletters, e-newsletters, and posters. These provide regular information on local events, and – from time-to-time – longer narratives backgrounding and explaining significant events. Recent examples include the death of a Central Park Flats tenant who was killed in her home in April 2021, and the recent decision of the Council to review the financial sustainability of City Housing (the 2 June 2021 decision to explore, among other things, the possibility of the Council's housing being managed by a registered Community Housing Provider).<sup>17</sup>

### **8.4. Tenant voice and satisfaction**

When the WCC social housing policy was established in 2010, the Council supported the role of WHAT (the Wellington Housing Association of Tenants) and relied on it to provide the voice of tenants.<sup>18</sup> Neither that organisation nor that relationship exist now.

The primary source of comprehensive information for City Housing, and for WCC more widely, about tenants' views, and tenant satisfaction (including whether the policy objectives<sup>19</sup> are met) comes from the annual tenant satisfaction surveys.

Those surveys show stable, positive views across the six years 2015 – 2020 (inclusive). Preliminary results from the 2021 survey, shared with us for the purposes of this review, show stable or improving results. This includes overall satisfaction with services and facilities, with services provided by tenancy advisors, with the condition of their house or apartment, and their feelings of safety in tenant complexes after dark.

Managers expect the new Tenancy Management System, planned to be in place in the first quarter of 2022, to enable more informal and more frequent communication between City Housing and its tenants. This will include real-time collection of tenants' views. The system will support the implementation of a Tenant Complaints and Compliments Procedure, planned for introduction in early 2022, following consultation with tenants).

### **8.5. Reporting arrangements**

City Housing is part of the large Customer and Community Group whose other operations include Arts Culture and Community Services, City Arts and Events, Community Networks, Community Services, Customer and Community, Parking, Parks Sport and Recreation, and Economic & Commercial services. Its head is designated as the Council's Chief Operating Officer.

Formal reporting arrangements at present comprise:

- Internal quarterly reports to the City Housing senior management team which provide comprehensive information on social and affordable housing supply and demand; tenancy demographics, welfare and satisfaction; a financial snapshot and updates on current projects.<sup>20</sup>
- External quarterly and annual public reporting, which provides a short description of the major issues facing the service (including the second half of the housing upgrade programme); and the financial reporting on the service.<sup>21</sup>

<sup>17</sup> <https://wellington.govt.nz/news-and-events/news-and-information/our-wellington/2021/06/city-housing-negotiations>

<sup>18</sup> See "Tenancy Representation" above, para 6iii

<sup>19</sup> Para para 6i and 6ii above

<sup>20</sup> Provided to the review team

<sup>21</sup> See <https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/plans-and-policies/quarterly-report/2020->

- The provision of significant information to the Council on an as required basis to support its strategic decision making (for example the suite of papers provided to the Council on 2 June 2021 to support its decisions on the future management of City Housing).
- City Housing doesn't however provide a regular status report or the like to the CE, and through the CE to the Council to support its governance responsibilities.

In addition, from time-to-time, tenants will approach Councillors for assistance with problems, and this gives the Councillors an opportunity to learn about the operation of the service, albeit through an anecdotal lens.

#### **8.6. New initiatives**

At the time of our review a number of new initiatives are under development or newly in place with the aim of improving tenant well-being. They include:

- In 2021 work commenced to ensure tenancies meet the Healthy Homes standards. A workshop for tenants to provide information is being considered to support this.
- Planning for the second phase of the Housing Upgrade Programme, expected to start in 2022.
- A project to provide new curtains to all the tenancies which have yet to be upgraded. We understand that the curtains project will be completed by the end of October and will result in over 400 households having new curtains.
- The new Tenancy Management System, planned to go live in April 2022. This will provide a tenant portal allowing tenants to see their own tenancy information in one place, to log a job, to provide feedback and complaints, and to see whether service level agreements are being met. The City Housing management expect the new system to provide a facility for two-way engagement between City Housing and its tenants.
- A new Tenant Complaints and Compliments Procedure has been signed off by the City Housing Leadership Team and is with the frontline staff for consultation. The aim – subject to feedback from consultation (including with tenants) and agreement – is to introduce it in early 2022. Councillors will be able to refer tenants to it if they are approached with concerns.
- A portfolio approach to the tenancy advisors work, where they're allocated a group of tenants rather than sharing a larger group with another advisor.
- Enhanced recruitment and induction of new City Housing staff (including minor improvements following an evaluation).
- Two new positions in the tenancy advisors team are soon to be established – a senior advisor (to support the Tenant Operations Manager) and a quality lead to provide assurance of consistency across tenancy advisors' approach to their work. Both positions will also provide a career path for tenancy advisors.
- Plans to appoint an additional staffer in City Housing's community development area.
- Ongoing work to improve the operation of the City Housing's facilities management service.
- City Housing managers have hosted an 'all-comers' meeting for health and social service agencies in Wellington to familiarise them with City Housing's work



- City Housing's managers have recently hosted a community spaces hui for WCC staff to enhance the connections between City Housing and the rest of the Council's services, and further similar cross-Council meetings are planned
- Enhanced communications capability and capacity which has enabled a refreshed communications plan focused on both internal and external communications
- New noticeboards in complexes that didn't have them.

In addition, City Housing has been part of the front-line response to tenants to support their well-being during the COVID-19 Level 4 lockdown which started on 17 August 2021.

Not all of these new initiatives were known to all respondents. Some which started 2-3 years ago (such as the new approach to the community development function), are only just realising the ambitions of those leading and managing the new approach. Some are still dependent on staff recruitment.<sup>22</sup>

## **9. Other social housing models – Implications for City Housing**

Our terms of reference required us to talk with other social housing providers throughout New Zealand, and we were directed to five of them. These interviews focused on how these providers deliver on their responsibilities, but did not ask them to make any comment on City Housing's service.

The clearest theme that comes through is the recognition that leading and managing social (sometimes called 'community') housing is a lot more than just being a responsible and conscientious landlord. The providers we spoke to looked back to a time when the transactional good landlord's role was the essence of their services, and looked forward to a more relational approach to their dealings with tenants, focused on tenant well-being. There was a strong commitment to 'holding on to' tenants who might otherwise have stretched the tolerance of a landlord, minimising the need for evictions, and recognising the key role that quality housing plays in good life outcomes for tenants.

Some providers preferred to disaggregate the tenant advisor / landlord roles from the welfare or well-being roles; others saw them sitting comfortably within the one position.

The clear expectation of providers was that they were not set up to provide the social and health services that their tenants need, nor had they any desire to move in that direction. Rather, that their responsibilities were to navigate the services on offer with their tenants and make the connections needed. And that maintaining the relationships with service providers is key to tenants' well-being.

More than one provider emphasised that many of their tenants preferred to live an independent life and rarely if ever required assistance.

A clear message from all is that rental income alone has not proved sufficient to support the services needed; and that either support from rates (in Dunedin City Council's and Nelson City Council's case) or from central government's Income Related Rent Subsidy has proved essential.

Improving tenant satisfaction was a source of pride to all the providers; one told us that an advisory group had been established to provide the voice of tenants to the Trust and that that has worked well.

Detail of those organisations we interviewed is in Appendix Four.

<sup>22</sup> Comment in interview with City Housing managers

## **10. What people told us about the tenant support provided by City Housing**

### **10.1. Services to all tenants, including tailored services to enhance the well-being of tenants**

We asked tenants, Councillors and staff, and external service providers to tell us what they thought was working well, what was not, and what could be done to improve tenant support.

The key, and most positive, insight provided to us by our interviews is City Housing's commitment to doing a good job:

*"By and large WCC is a humane and responsible landlord" and "we're a Council that really values our social housing – it was housing issues that brought me into Council".*

*"The most important thing is that we have established processes for working with tenants. There's a lot of pro-active front-foot work, not just waiting for things to go wrong".*

*"City Housing is a good landlord, balancing the requirement to provide support with letting people live their own lives".*

*Interview with Councillors*

And that the service is modernising its approach:

*"Historically we were just seen as a moaning and whining landlord. Now they [tenants] know when we call there's a justifiable reason. That's good – our tenants benefit."*

*Staff interview*

Further, that there is much about the way City Housing delivers on its obligations that works well for tenants, for its staff, and for the health and social service agencies who provide support to its tenants as needed. Responding to the question 'what works well' interviewees said:

*"Tenant advisors are very good on site, more engaging ... they visit people when we have concerns and we have issues... The [facilities management] log-a-job system works well"*

*Tenant interview*

*"The holistic tenant-focused model, the people-centred culture, and the autonomy we have to be responsive and provide for needs [works well]."*

*Staff interview*

The case manager's work was widely supported both within City Housing and by outside agencies, as was her collaboration with tenancy advisors to provide referrals to health and social service agencies, and to ensure connections were maintained over time.

A number of problems were identified across all our interviewees, best summarised as when it works well it works well, but it's not consistent. For instance, some tenants told us that they experienced difficulties with inconsistent and unreliable service from tenancy advisors, and from the facilities management's log-a-job service. While it's not possible to generalise with confidence, it seemed that these problems were associated with smaller complexes.

This was echoed in our interviews with health and social service agencies: one representative noted high turnover among City Housing advisors, and thought that meant their knowledge of their tenants' needs was sub-optimal, including when their tenancies were becoming 'wobbly'.

*"There's not a lot of consistency over time in the people who are employed in tenancy support services. That means relationships aren't well-sustained. It's going to be hard for staff to notice deterioration (if there's high turnover) ... (and) you have to know people to challenge them around behaviour and be caring as well. At the core of our work is 'slow and steady'."*

There was a comment made by an iwi provider that stood out in our interviews. Its expectations were based on its long history as a provider of housing solutions and social support services, including being funded as a Housing First<sup>23</sup> provider – supporting people with high and complex needs at risk of homelessness. It was in essence a view that City Housing – despite its focus on providing and facilitating support to its tenants – could not be considered to be a true social housing provider. Such a provider would, in the interviewee's view, provide wrap-around, enduring support to people, and would continue to house people even where their tenancies are ended. She said in her organisation the tenants all have kaimahi to provide this support.

City Housing does not accept that it could not be regarded as a social housing provider simply because it doesn't provide the same level of intensive support that other community housing providers may be able to provide under intense support contracts, like the Housing First programme funded by central government. City Housing notes that it is in the same position as other councils that operate social housing and that, while a community housing provider can bid for support contracts, City Housing cannot.

City Housing managers acknowledged the views of the iwi provider, but noted that its kaupapa and funding require, and enable, more intense wrap-around services. They reiterated their deep commitment to resolve problems which might lead to tenancies being terminated, and told us that it's very rare for City Housing to terminate a tenancy. They explained that this is only done as a last resort when all opportunities to resolve problems have been exhausted. We were advised that in the last 12 months, City Housing has only sought the termination of three tenancies. These were for behavioural reasons. Two of these related to serious threats against staff, and the other related to serious threats against neighbours.

The sharpest negative views from tenants surfaced when they talked about common facilities, common areas – such as problems in complexes' laundries, about Council staff's work in the complexes' gardens, and about general problems with noise control. These problems were reflected in difficulties experienced by some tenancy advisors in getting other parts of the Council's operations to respond to their requests.

The improvements sought by our interviewees in this area naturally reflected the things they felt weren't working well. That is – for example – more consistent good practice across the role of tenancy advisors, better engagement across the Council to ensure coordination between the needs of City Housing tenants and the services from the balance of the Council that meet the needs of all Wellingtonians.

The City Housing managers were asked for their thoughts on key issues raised. Their focus in the interview was on the comprehensive programme of improvements – through programmes and initiatives – already underway in City Housing<sup>24</sup>. It was clear in our interviews with them that these initiatives are intended to transform and modernise how City Housing works with tenants.

One challenging issue was raised several times. Our interviews with some of the City Housing staff, and the health and social service agencies revealed an interest in being able to access information on services used by tenants so that City Housing could directly liaise with support services and vice versa. As one agency said: *"(because) we are quite often called in when things are really bad"*. The agency noted that Kāinga Ora asks their tenants if

<sup>23</sup> <https://www.hud.govt.nz/community-and-public-housing/addressing-homelessness/housing-first/>

<sup>24</sup> See section 8.6 above



they can share information with other service providers, and would like City Housing to do the same.

We asked the managers for their thoughts on the potential for enhanced information sharing about tenants' use of social services. The managers support a holistic approach to health and well-being. However, they are constrained by the requirements of the *Privacy Act 2020*, including the requirements for express permission to share personal information unless, in their words, there is "a threat to life or property". They added that requests to share information:

*"Can be scary for tenants – wondering whether information they disclosed would be shared with IRD or MSD" .... (and) "throughout tenants' lives, they may have disclosed and it may have backfired, and in the past tenants may have experienced a punitive response from authority or support organisations when they disclosed information about personal problems"*

They pointed out that information can be shared from time to time as events require, but that enduring permission over time would be unlikely to be acceptable to tenants.

#### **10.2. City Housing's community development service**

Again, we asked tenants, Councillors and staff, and external service providers to tell us what they thought was working well, what was not, and what could be done to improve tenant support.

City Housing's community development services were well-regarded by the people we interviewed, where they knew about them. (Not all of the health and social service agencies did.)

The tenants we interviewed had leadership roles as tenant community volunteers, and so had direct experience and understanding of the service. Several had held roles as volunteers for a number of years. They were positive about the service, about its support for tenant-led community events in the complexes (such as the celebrations for Matariki and the Chinese New Year) and about the staff member currently engaged to lead it.

Their key dissatisfactions, and their suggestions for improvements, revolved around a desire for more volunteers, for better structure and support around kaitiaki roles (including financial support of get togethers, for example morning teas), and more City Housing staff to support volunteers<sup>25</sup>. They pointed to the comparative ease of organising activities and events in large complexes, as against smaller complexes without meeting rooms.

Improvements sought by the health and social service agencies that had contact with this programme focused on the use of City Housing facilities (community meeting rooms etc), the need for knowledgeable tenancy advisors, and for kaitiaki being readily available in all the complexes where they hold their activities.

Other interviewees expressed regret that the Council's community development work (focused on the city as a whole) wasn't well-integrated with City Housing's community development work, and that these two key programmes of work were siloed within the Council.

They explained this partly by reference to history (the genesis of the City Housing's community programme in the need to protect social cohesion across City Housing's major upgrade programme), and by comparing the Council's support of the Council's community development programme through rates, and the funding of City Housing's community development programme through rental income, and the reluctance to mix these two funding streams.

<sup>25</sup> At the time of our interview the tenant community volunteers we interviewed didn't know about the decision to appoint an additional staff member

Some were concerned that the two parallel programmes reinforced barriers within the wider Wellington community. These quotes capture some of those concerns:

*"Our (community development) work feels a bit contained rather than people feeling they're part of a wider community. For example, Central Park is better because other people from the local community use the meeting room. The more we encourage other groups to use those facilities the better ...."*

*"We have community work going on in the wider community [which] doesn't seem to be integrated with community work with tenants .... In my head we've created a community connected because they're struggling. [This is] not necessarily the best environment – in some ways we need better integration...."*

*"The ring fence is created as a 2-way ring fence. We shouldn't be doing that. We're not acknowledging that some people will move in and out. What we're doing doesn't support that movement"*

Our interviews with the City Housing managers, and with both community development staff, told us very clearly that their aspirations for improvements in the programme aligned with those of the other interviewees – that this programme is still developing. The words of the City Housing community development advisor sum this future orientation up well:

*"I think about people as a whole. What they want to do together ... Building peoples' networks and connections, building community resilience. I use a social capital model ... When it comes to groups, I'm not running them. I try to make them sustainable ...."*

*"Previously [this work was] only for tenants. Now for example there are two mental health groups, and neighbours have been invited to be part of the group that [an NGO] runs. Libraries have come in, developing relationships with the tenant communities"*

And talking about how she could see it being improved:

*"There are lots of further opportunities ... I would like to do a proper consultation process – strategically by neighbourhood – be physically present, talking to everyone, forming a plan, not just activities ... If they have ownership it will be much better ...."*

### *10.3. Communication and engagement*

We heard a lot about the value of, and need for, enhanced modern communication and engagement. This is to be expected in a human service that relies on relationships for its operational success in providing safe and secure tenancies for a large group of Wellingtonians. Our interviews touched on communication and engagement between:

- tenants and City Housing (whether as groups within complexes, and as individuals)
- communication and engagement between City Housing and other Council businesses
- City Housing and the health and social agencies in Wellington
- City Housing and the Councillors.

This is not to say that there is no communication and engagement – quite the opposite. But rather, that more and better communication and engagement was sought. For example, tenants told us they want to see up-to-date newsletters and refreshed noticeboards; managers and staff are eagerly waiting for the new tenancy management system with its interactive portal to arrive; tenants and staff said they sometimes struggle to engage effectively with other Council business units to deal with, for example, parking and garden issues; external agencies told us that they want to hear in more detail, and much earlier, about tenant problems and that they rely on consistent, timely information from staff, and



Councillors told us that they find themselves relying on anecdotes and complaints to give them insights into how well City housing is performing for its tenants.

## **11. Comment / Findings**

Some 3200 Wellingtonians access social housing, through City Housing, which is designed to take account of their modest financial circumstances and of other needs that they have, including disability, illness, and experiences as refugees. The mere fact of this housing is a key support for tenants.

All of the housing was, or will be upgraded as a result of the Council's commitment to modern, safe and secure housing. Since the beginning of 2021, the Council has been moving to ensure that all of its housing complies with the Healthy Homes standards. Again, these programmes provide very important support to tenants.

On 2 June 2021 the Council's Social, Cultural and Economic Committee considered the future of its social housing portfolio in the context of its operating deficit and capital funding shortfall. It will consider advice from its officers at the end of September 2021 on future options.

This is the context for our comments and recommendations about tenant support.

### **11.1. Services to all tenants**

When we looked at the approach to tenant support of other major social housing providers in Aotearoa New Zealand, and compared that with City Housing's approach, we saw a shared commitment to being a responsible and conscientious landlord. But not one which took a transactional approach where the essence was the exchange of rent for use of a dwelling, but one focused much on a relational approach focused on tenant well-being. We saw a shared commitment to "holding on to" tenants who might otherwise have stretched the tolerance of a landlord, minimising the need for evictions, and recognising the key role that quality housing plays in good life outcomes for tenants.

All of the providers provided for a mix of 'landlord' functions and 'welfare' functions, sometimes combined in a single role, but more often – as with City Housing – separated into two different but integrated roles. All of the tenancy advisors/managers were expected to get to know the tenants they dealt with. (This included care and time taken to ensure that tenants were well-introduced and well-settled into their dwellings.) In one – Kāinga Ora – this was extended to data-informed segmentation based on need with a range of different caseloads depending on client need.

All relied on health and social service agencies in their area to provide services to tenants when needed, through referrals from either the tenancy staff or the welfare staff. Providers all recognised that the success of these arrangements depends on good relationships with health and social service providers.

City Housing's case manager has worked hard to establish wide and deep relationships with health and social service agencies, and her work is widely respected. Insights from tenant community volunteers and from health and social service providers alerted us to the need for consistently high-quality engagement with tenancy advisors, whose contribution to tenant support is crucial. City Housing managers told us that they have recently reviewed and refreshed the recruitment and induction of tenancy advisors to support improvement in their work – and the tenancy advisors told us that they can see opportunities for improvement in their work with tenants through having an allocated caseload.

#### ***Comment One***

The services provided to all tenants are designed and delivered using a broadly similar approach to other large- and medium-scale social housing providers.

Those services are, and will always be enhanced by committed, well-trained and well-supported staff.

On our observations, and those of most others we interviewed, we think these services are supporting tenants well and are meeting the aspirations of the 2010 policy programme "Housing Plus".

We were impressed by the work done by Kāinga Ora to segment its client base according to data-informed analysis of need and risk, and to tailor its tenancy staff's workload in response. No doubt all providers do this to a greater or lesser extent, if only to respond to demands, but this struck us as worthy of consideration by City Housing, whose tenant base is of a similar size to Kāinga Ora. This kind of segmentation might, for example, provide a sound basis for more frequent inspections on tenancies than the current 1/year visits. And this in turn might help to ensure early identification of problems that might otherwise stay hidden for up to a year.

Our recommendations cover this issue.

#### **11.2. Community development service**

City Housing's community development services are less common in other providers.

It's a service that had its genesis in the large-scale housing upgrade programme starting in 2008 and that has had to reposition itself following a critical review in 2017 – and by all accounts the change in direction was abrupt. It has a clear sense of direction, is well supported by tenant community volunteers, supports a wide range of tenant community activities, and enables a range of agencies to provide activities in City Housing's complexes' community rooms.

Its relationship with the City Council's wider community development is developing, and it has reasonably well-developed relationships with the other key staff we interviewed from City Housing.

#### ***Comment Two***

The community development service is an important contributor to the social capital of tenant communities, and contributes to social cohesion in the City Housing complexes, particularly the larger ones which have built-in common spaces like meeting rooms. There's a sense of purpose and optimism amongst those involved in the service. There is clear ambition for further growth and development.

While other social housing agencies support activity programmes of various kinds for tenants, City Housing's seems to be the most varied, and is clearly tailored to the diverse communities amongst the tenants.

On our observations, and those of others, we think these services are supporting tenants well and are meeting the aspirations of the 2010 policy programme "Community Action".

#### **11.3. Relationships with health and social service agencies**

As with the other health and social service providers we interviewed, City Housing's support for its tenants with problems affecting their welfare depends on facilitating support from health and social service agencies. This is consistent with the other social housing providers we interviewed.

The case manager's relationships with the agencies are clearly working well; and both she and the agencies emphasised the importance of the tenancy advisors work in ensuring that tenants' problems (such as hoarding) are identified early.

There are several joint-agency forums that meet regularly in Wellington, particularly focused on homelessness and at-risk tenancies and Council staff attend at least one of these.

We heard from several different sources (including from Council staff) that the welfare of tenants who experience problems of various kinds (such as mental illness) would be enhanced if City Housing could share – with or without tenants' permission – information about the tenants' relationships with health and social service agencies. Then if an emergency on some kind occurred, it would be easier to make connections in the interests of the tenants' welfare.

This is a difficult issue – involving the rights of the individuals to personal privacy. We were told that several Wellington (government and non-government) agencies use Memoranda of Understanding to allow and govern the exchange of personal information. This isn't an area we explored further, but given the number of times it was raised with us our recommendations refer to this.

#### ***Comment Three***

Relationships between City Housing and health and social service agencies are working reasonably well and, we were told, are enhanced by goodwill all round. They reflect the approach of social housing providers across Aotearoa New Zealand – that the providers don't and should not provide welfare services to their tenants, but rather have a responsibility to stay alert to emerging problems amongst tenants and, as needed, facilitate connections between tenants and agencies as and when needed.

#### **11.4. Communication and engagement in changing times**

City Housing is operating in a changing environment – an urgent response is needed to its financial problems, a major upgrade programme is about to commence affecting about half of its dwellings, and work is underway to ensure its dwellings meet the Healthy Homes standards. Enhanced connections between its operations and those of other Council business units are expected. A significant programme is underway designed to improve its performance including the introduction of a modern tenant management system, and refreshing policies for City Housing's operations. Partner organisations across Wellington are hoping for continued improvement in City Housing's work with them.

In times of significant change frequent, well-planned and consistent communication makes a difference to tenants' trust and confidence in their accommodation arrangements, and to their peace of mind. Providers of essential services to the complexes and to the tenants will need reassurance that their relationships with City Housing are continuing throughout change. Staff, so important to City Housing's support for tenants, will be looking for reassurance about their job security and about expectations for their performance. Councillors and senior management will be looking for assurance about business-as-usual and about change management.

Communication can be thought of as one-way – for example the provision of information through media releases, tailored newsletters, briefing meetings, corporate reporting and so on. Or as two-way, with feedback-sought from such communication.

In our experience, this approach to communication is necessary, but not sufficient to sustain the good relationships so necessary to deliver good tenant support, to retain tenants' trust and confidence.

Engagement is needed too, dialogue which allows new insights to be explored in real time, which allows for misunderstandings to be aired and corrected, which enhances the sense that 'we're in this together, we're working together to make sure things improve for current and future tenants. Which builds trust and confidence across all the multiple relationships which are needed to ensure tenant support works well.



Our interviews with the managers of City Housing told us that they're acutely aware of the importance of communication and engagement. Our comments, and our recommendations, are intended to respect that, and build on it.

On the basis of our interviews with Councillors, and our review of the existing reporting arrangements, we think there's room for improvement through using summaries and highlights from the existing internal (i.e. within City Housing) quarterly reports to 'tell the story' of City Housing's work with tenants, its thinking about implementing its improvement strategies, and to provide context for times when things go awry for individual clients or for groups of tenants. We think that where possible this should involve face-to-face meetings between senior City Housing staff and those Councillors who have particular responsibility for, or interest in, City Housing's work. Absent this, there is a risk that Councillors' views of City Housing's work will be driven by complaints, anecdotes, and the focus of media. All these are of course legitimate ways of looking at the services provided, but all require well-understood context, at a point in time and over time.

On the basis of our interviews with tenants, and with staff and managers, and our review of documentation, we understand the importance that's placed on communicating with tenants, and of listening to tenants' views, whether through the annual surveys, through daily interactions, and – in the future – through the interactive portal of the planned tenant management system. These are all necessary to ensure tenants feel they have a voice, and to ensure the workings of key tenant supports are understood and improved as needed. But again, we consider that there is room to improve these. We looked back at the 2010 policy framework, and we are not confident that the current communication and engagement arrangement with tenants are meeting the aspirations of the 2010 policy programme "Tenancy Representation". The days of the Tenants' Union, which was in place in 2010, have passed, but it seemed to us that there is room for a mechanism to allow all tenants to have a say in decision-making, particularly now that so much change is underway. The advisory group established by Ōtautahi Community Housing Provider may provide a useful model.

On the basis of our interviews with staff, tenant community volunteers, and external organisations who use City Housing's facilities and connect with tenant networks, it seems to us that the communication and engagement around City Housing's community development work between all parties is working well, and that the goodwill between all involved will ensure progress continues.

On the basis of our interviews with health and social service agencies, we think there are real opportunities to build regular engagement between City Housing's senior and operational staff, and the agencies, to share thinking on plans for improvement (such as initiatives to enhance the role of the tenancy advisors), to explore difficult issues together (such as access to tenant's personal information at times when their need for support peaks), and to update agencies on all of the major change programmes underway. A recent briefing by City Housing managers for all Wellington's agencies was well-attended and well-received, and can readily be built on.

#### ***Final comment***

Overall, our view is that tenant support is working well. City Housing's approach is consistent with that of other, broadly equivalent providers across Aotearoa New Zealand. All those involved are committed to a high standard of support. Tenants report good levels of satisfaction with their houses, their complexes, and with services provided by their tenancy advisors.

But there are significant opportunities for improvement, particularly around the communication and engagement needed to sustain and build trust and confidence through a period of significant change.

Our recommendations reflect this.

## **12. Recommendations**

In the context of the findings and comment we have made we recommend that the Wellington City Council note and consider implementing the following recommendations:

### **12.1. While the tenancy services and tenant support arrangements are broadly fit for purpose there are opportunities to further enhance existing arrangements**

- The review confirms that the tenant support arrangements in City Housing are carefully focused on the needs of all tenants, alongside the needs of those tenants who require additional support; and that they align well with equivalent services provided by other like social housing providers in Aotearoa New Zealand.
- We note that City Housing's leaders and managers have a significant programme of initiatives underway - and more are planned - which will improve how City Housing supports and improves the well-being of tenants.
- The review confirms that City Housing's renewed community development work has been growing at pace over the last two years, and that the review team is confident this will continue.

### **12.2. While the engagement between City housing and other agencies providing additional services and tenant support works well, there may be an opportunity to strengthen the model with a more formal framework**

- We note that the review confirms that City Housing's approach to the delivery of tailored welfare services – facilitating the delivery of those services by both government and NGO agencies - is consistent with that of other like social housing providers, and is generally respected by both the government and NGO agencies we spoke to. In many instances the effectiveness of these engagements is down to the relationships developed at an operational level.
- We recommend that City Housing and its Wellington health and social service agency partners explore how they might strengthen and support the way they work together through codified processes, commitments, channels and approaches to working together. This might include regular scheduled meeting/engagement to inform and update partners and briefings from City Housing.
- We suggest that the first of these engagements could occur after the October 2021 decisions on the future governance and operating structure of City Housing have been taken, presuming there will be 'proposals' that will be consulted on). Discussions and agreement between City Housing and partner agencies about the future model for engagement, frequency, focus, etc, could also occur at that point.

### **12.3. While there is good use made of information about tenants' needs across City Housing and its partner providers on a case-by-case basis, there is an opportunity to take a more systematised approach**

- We note that there was a high level of interest in improving preventive and timely services to tenants through better sharing of information, governed by Memoranda of Understanding, as is already applied widely within Wellington's social service agencies.
- We recommend that the merits of moving to more formal mechanisms for collecting and using information about tenants and their communities be explored by City

Housing leading a discussion with its own staff and external partner agencies.

- We note that Kāinga Ora has adopted a deliberate, administrative data-informed approach to segmenting its tenant community to enhance its prioritisation of services to those whose need is greatest.
- We recommend that City Housing investigate this approach to determine whether it could be adapted for City Housing's use, particularly to inform workload allocation to tenant advisors.

**12.4. A refresh of its communications and engagement approach would help strengthen engagement between tenants and City Housing and City Housing and its stakeholders**

- We have noted that feedback suggested that more and better communication and engagement was an opportunity for improvement. We note that there are examples in other jurisdictions and across New Zealand that may offer insights into what a fit for purpose model for City Housing might look like.<sup>26</sup>
- We also note that City Housing has established a Tenant Communications Project in conjunction with the Council's communications team. We understand that this project will review all communication channels, from tenant letters, welcome packs, noticeboards etc.
- We recommend that City Housing undertake a project to refresh its communications approach and engagement strategy. A refresh of the communications and engagement approach should engage tenants and stakeholders to determine what tenants and stakeholders want to be engaged on, how they want to be engaged, what channels they want to use and who within City Housing has overarching responsibility for oversight and delivery of the strategy and plan.
- City Housing and its tenants may want to explore different ways of allowing the voice of tenants' to be heard. For instance, exploring the Ōtautahi model of a tenant advisory group.
- We note that a new Tenant Complaints and Compliments Procedure has been approved by City Housing management and is now with staff for consultation. We recommend that interim changes occur to allow regular reporting as part of the strengthened engagement between City Housing, Wellington City Council managers and officers and Councillor(s) as detailed in recommendation 12.6.

**12.5. There is an opportunity to improve on how Wellington City Council and City Housing plan for and undertake their respective community development activities**

- We found that there has not always been coordinated planning and delivery of community development activities between Wellington City Council and City Housing. This was an unintended by-product of the 'financial ring fencing' of City Housing's funding.
- We note that this problem is currently being addressed by staff and managers from the two business units.
- We recommend City Housing and Wellington City discuss and agree how they can

<sup>26</sup> Microsoft Word - FHDC\_Tenant\_Engagement\_Strategy 2021 with amendds (folkestone-hythe.gov.uk)  
tenant-engagement-strategy-2018-2019.pdf (linkhousing.org.au)  
tenant\_engagement\_communications\_strategy\_action\_plan\_2021\_1.pdf (ochilviewha.co.uk)



enhance the speed with which they integrate and co-ordinate their respective community development planning and delivery work.

**12.6. There is an opportunity to strengthen reporting and engagement between City Housing, Wellington City Council senior leadership and Councillors**

- Effective governance depends on governing bodies receiving regular reports that provide a clear and objective view of an organisation's (or project's) performance. Governing bodies need to be provided with enough detail to support performance management and decision-making, while avoiding unnecessary details about operational matters. The governance framework should confirm and make accountabilities clear to everyone in the organisation.
- We recommend that appropriate City Housing and Wellington City Council managers and officers meet regularly with Councillors responsible for the Housing portfolio. These meetings should be supported with regular reporting and briefings on the key performance and risk metrics for the portfolio. There should be a cascading of the level and type of information provided depending on the level within Council the information is being reported.
- We recommend that City Housing initiate an engagement with relevant Councillors, Wellington City Council Senior Leadership to discuss and agree what these reporting and engagement arrangements could look like and what further work is needed to give effect to this recommendation.
- We recommend that the engagement and interface between the Councillor with responsibility for the Housing portfolio and the Manager, City Housing continues to be built on and strengthened to ensure an effective governance and management relationship is maintained.

**12.7. The Council's Housing Policy is critical to the strategy, policy and operational framework for the delivery and operations of community housing for the City. Updating the policy is important in setting the direction for City Housing and the Council's long-term intentions.**

- We note that the current housing policy is out of date and that an updated policy has yet to be approved.
- We recommend that the Housing Policy be approved as a matter of priority to provide clarity and certainty for City Housing and tenants.

## Appendix 1 – Terms of Reference

### Terms of reference

Review of tenant support and tenant-facing services provided by WCC City Housing

#### Context

City Housing owns 1927 properties. We also manage 26 properties for Porirua City Council, 7 properties for Parks, Sport and Recreation and a further 52 properties at Te Kāinga Aroha. In total we provide homes for over 3000 tenants. We lease a number of our properties to Kāinga Ora and other Wellington community housing providers.

We provide housing to over 3000 tenants. While 64% of our tenants live alone, we have many families, and our biggest age group is 5 – 9 year-olds (250). Only 19% of our tenants are over 65yrs which makes us very different to most other Council housing which is predominately pensioner housing.

City Housing provides a range of additional services designed to support our tenants with respect to their social, emotional and physical well-being. Some of our tenants have complex needs that require specialist services. City Housing works with external agencies to provide wraparound services and support for our tenants who need them.

#### Background and Purpose of the Review

The purpose of this review is to critically assess and consider how Wellington City Council provides support services for its tenants in City Housing. Importantly, we want to gain an understanding of any limitations to our services model that impact the level of support services that we provide and how our services compare to those delivered by other agencies to social housing tenants elsewhere in Aotearoa New Zealand.

As well as understanding the opportunities to improve services for tenants we also wish to understand the opportunities there are to provide services that support effective and safe neighbourhoods and communities.

Finally, we want to review our model for partnering with people and other agencies to support our tenants and make the homes and communities they live in safe and thriving.

The range of services and level of tenant support provided by WCC City Housing is expressed through our current operational policy framework. This framework was intended to be reviewed as part of the existing City Housing work programme this year given the framework has been in place for several years. Through this review we want to ensure that these services are fit for purpose, reflect good practice and are delivered well. As such, these terms of reference focus on these areas.

### Scope and Limitations

#### Review scope:

- Examine the tenancy support and management policies, practices and procedures at the Wellington City Council City Housing properties.
- Review and clarify the on-site support services provided by Wellington City Council to tenants in City Housing properties and compare these to the support services provided by other local government bodies who provide community housing services



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- Review how we partner and work with Central Government agencies, NGOs and Iwi to provide support services to our tenants.
- Review the operational policies and procedures of City Housing and identify opportunities for how these could be improved on.
- Review the activities that support tenants to live in safe and thriving communities including activities designed to identify and respond to safety and community cohesion risks. Identify opportunities to enhance these.
- Review and research opportunities to improve the tenants experience noting our current limitations and operating/funding constraints (see below).

#### **Out of scope**

- **Our building stock/asset management**

In partnership with the Crown, City Housing is half-way through the 20-Year Housing Upgrade Programme aimed at improving the quality of existing housing stock. There is also the Strategic Housing Investment Plan which contains workstreams relating to the redevelopment of a limited number of sites and some divestment of underperforming properties. The issues surrounding this stock, the future upgrade programme and the funding issues surrounding it are well understood with options being developed to address them, and as such, are out of scope in this review. Papers related to Social Housing Policy and the sustainability of the business are to be considered by Councillors early June 2021.

- **Current funding model and financial challenges**

City Housing is "ring fenced" and receives no direct Council funding. All of the services provided are funded solely from the income it receives from rental income. Currently City Housing tenants pay 70% of market rates in rent. As a result, City Housing runs an operating deficit each year. For example, in year one of the draft Long-Term Plan, the deficit is approximately \$8.7M and projected to grow over the LTP period.

Most of our tenants receive government assistance with their housing costs via the Accommodation Supplement. However, City Housing tenants do not receive Central Government funding via the Income Related Rent Subsidy (IRRS).

City Housing's financial model is unsustainable and currently running at a loss. We are currently in discussion with the Crown on how we might work together to remedy this situation. As such, funding and financial matters are largely outside the scope of this review.

It is however important to understand the funding challenges the service faces when considering our levels of tenant support.

- **Performance**

City Housing's financial model is unsustainable and currently running at a loss. We are currently

#### **Review Approach**

The approach to the review is expected to include the review of documentation and interviews with relevant people:

#### **Documentation**

Relevant documentation of the arrangements currently in place and any proposed improvements including:

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- City Housing operational policy framework, including any supporting policy or practice guidelines that focus on tenant advice, support or well being
- Relevant information and documentation outlining partnerships with other providers
- Relevant information with regards to tenant facing services and procedures
- Process and system documentation
- Information from partner agencies and other councils as required.

#### **People and Organisations to be engaged**

Without limiting who the Reviewer speaks to, it is anticipated the following will be engaged with as part of the review:

- City Housing team
- Elected representatives who have responsibility for the city housing portfolios
- Relevant Staff and management from partner or support agencies who work with City Housing and tenants and providing service at City Housing properties e.g. Kahungunu Whānau Services, DCM and other to be determined in the planning.
- Tenants and onsite kaitiaki-tenants who coordinate activities in each community
- A sample of other Councils across Aotearoa New Zealand who providing social housing services
- Relevant staff in Kāinga Ora and Ministry of Housing and Urban Development
- Mana Whenua.

May 2021

#### **Appendix 1-Key Review Questions**

The following questions are not intended to be strictly adhered to, but are a guide as to the matters the Council are seeking to understand through this Review:

1. Given its mandate and function, are the support services that City Housing provide to tenants adequate and fit for purpose?
2. How do our support services compare nationally? Are our support systems and processes appropriate and meet the needs of our tenants?
3. Are we sufficiently resourced to provide the support services that are expected by our tenants?
4. Are there any issues or barriers with the way that support services are delivered?
5. How can we improve the ways that we identify any gaps in our service and how they can be remedied? Is monitoring of the quality and impact of our services adequate?
6. What specific action can we take to improve the tenant experience?
7. What outcomes could we expect to see from any improvements?
8. Do the support services represent good practice on a national scale?
9. Does City Housing have an adequate understanding of the well-being of its tenants? Could improvements be made?

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10. Are systems and procedures adequately set up for understanding, reporting and taking appropriate action when acute changes to tenants' wellbeing occur?
11. Is information about the level of knowledge of individual tenant's circumstances held by City Housing adequate
12. Are systems and procedures adequate to record and report changes to the circumstances of tenants including acute issues of tenant well-being such as threats to safety?
13. Is information about tenants' circumstances and the broader circumstances relating to community wellbeing and safety appropriately collected, shared (where appropriate) and used to manage wellbeing and safety risks for tenants, their families and the community they live in?

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## Appendix 2 – Documents reviewed

Author	Title	Date
Controller and Auditor-General	<i>Using information to improve social housing services</i>	19 December 2017
City Housing (WCC)	<i>Agent or advocate form</i>	nd Provided to the review team 4 August 2021
City Housing (WCC)	<i>Central Park Incident Report (near final draft) (and some associated emails)</i>	nd Provided to the review team 3 September 2021; and 19 July 2021 (emails)
City Housing (WCC)	<i>Community activity flyers etc</i>	Various dates (2021) Provided to the review team 17 June 2021
City Housing (WCC)	<i>Community engagement Strategy: Task breakdown (Document for internal use by the City Housing team)</i>	nd Provided to the review team 17 June 2021
City Housing (WCC)	<i>Community Room: Health and safety protocol; Booking form</i>	nd Provided to the review team 26 July 2021
City Housing (WCC)	<i>Community Volunteers – Code of Conduct (and associated training material)</i>	July 2019
City Housing (WCC)	<i>Community Volunteers – Induction Training</i>	nd Provided to the review team 17 June 2021
City Housing (WCC)	<i>Community Volunteers – Role Description</i>	nd Provided to the review team 17 June 2021

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Author	Title	Date
City Housing (WCC)	<i>Communities in Action Fund: Terms of Reference</i>	April 2019
City Housing (WCC)	<i>Concerns, complaints and Compliments Procedure (draft)</i>	nd Provided to the review team 17 June 2021
City Housing (WCC)	<i>City Housing organisational chart</i>	6 August 2021
City Housing (WCC)	<i>Kaitiaki data (anonymous)</i>	nd Provided to the review team 13 August 2021
City Housing (WCC)	<i>Overview of City Housing Community Engagement</i>	nd Provided to the review team 26 August 2021
City Housing (WCC)	<i>Presentation* External Agencies Hui</i>	3 June 2021
City Housing (WCC)	<i>Quarterly City Housing Newsletter</i>	24 July 2021
City Housing (WCC)	<i>Quarterly Report April – June 2021</i>	July 2021
City Housing (WCC)	<i>Stakeholder list</i>	1 January 2021
City Housing (WCC)	<i>Tenancy management process documents</i> <ul style="list-style-type: none"> <li><i>Community rooms (23 December 2015)</i></li> <li><i>Complaints (23 July 2016)</i></li> <li><i>Customer service (23 December 2015)</i></li> <li><i>Managing Tenant Support Advisor Business Actions in Northgate Housing (July 2009)</i></li> <li><i>Mediation for tenancy issues (23 December 2015)</i></li> <li><i>Tenant welfare visits (23 December 2015)</i></li> </ul>	Various
City Housing (WCC)	<i>Tenancy Management Process Review</i>	1 October 2019

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Author	Title	Date
City Housing (WCC)	<i>Tenancy Management System Steering Committee: Terms of Reference</i>	nd Provided to the review team 17 June 2021
City Housing (WCC)	<i>Tenancy Operational Guidelines (Draft)</i>	January 2020
City Housing (WCC)	<i>Tenant satisfaction surveys</i>	2015 - 2020
City Housing (WCC)	<i>City Housing Tenants Survey (draft report)</i>	August 2021
Dominion Post	<i>"Council says tenants better off elsewhere" and "NZ's two-tier social housing"</i>	22 July 2021
Dunedin City Council	<i>Community Housing Newsletter #8</i>	Summer 2020
Kainga Ora	<i>Customer Programme</i>	nd Provided to the review team 30 July 2021
Ministers of Finance and Housing	<i>Deed relating to Grant for Wellington City Council's Social Housing</i>	19 July 2007
Ōtautahi Community Housing Trust	<i>2019 AGM presentation</i>	nd Provided to the review team 16 August 2021
Puroro Rangaranga – Social Cultural and Economic (WCC)	<i>Ordinary meeting - Minutes</i>	2 June 2021
Puroro Rangaranga – Social Cultural and Economic (WCC)	<i>Papers for meeting</i>	2 June 2021
Sonia Ogier	<i>City Housing Operational Review – discussion document</i>	30 October 2017
Author	Title	Date
Strategy and Policy	<i>Social Housing Policy (proposed)</i>	12 March 2020

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Committee (WCC)		
WCC	<i>A Policy for Wellington City Council's Social Housing Service</i>	May 2010
WCC	<i>Housing Upgrade Project Work Programme: 2008 to 2029</i>	19 June 2008
Wellington City Libraries	<i>Central Park Little Library Project Principles: Letter to City Housing</i>	nd Provided to the review team 29 July 2021



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## Appendix 3 – List of Interviews

<b>Wellington City Council</b>	
Andy Foster	Mayor
Councillor Fleur Fitzsimons	(immediate past housing portfolio leader)
Councillor Jill Day	(current housing portfolio leader)
<b>Wellington City Council Staff</b>	
John McDonald	Manager, Housing Development - Build Wellington
Jenny Rains	Manager Community Services and Emergency Welfare
<b>City Housing Staff</b>	
Angelique Jackson	City Housing Manager
Angela Hewitt	Service Development Manager, City Housing
Gabriela Montane	Tenancy Operations Manager (Acting), Tenancy Case Manager (substantive role)
Jamie Shackleton	Senior Adviser, Community Development
Tenancy Advisers	Group interview with 12 advisors
<b>City Housing Tenants</b>	
Kaitiaki	Group interview with 14 kaitiaki
<b>Government health and social service providers</b>	
Capital and Coast DHB, Mental Health Services –	two interviewees
<b>Non-Government health and social service providers</b>	
Age Concern Pathways	Responded to email survey (Surveys were sent to three other NGOs, and there was no response.)
Downtown Community Ministry	three interviewees, including a past Director
Port Nicholson Block Settlement Trust	
Kahungunu Whanau Services	
<b>Other Social Housing Providers</b>	
Dunedin City Council	
Haumarū Housing (Auckland, a community housing provider)	
Kāinga Ora	two interviewees
Ōtautahi Community Housing Trust (Christchurch, a community housing provider)	



## Appendix 4 – The work of other social housing providers across Aotearoa New Zealand

### Dunedin City Council (DCC)

DCC has 937 units (about half of City Housing's number) and caters to the housing needs of people aged 55 years and over with modest assets and income. Most tenants are single people.

DCC describes its role as a provider of "community" housing rather than social housing, and in doing so pointed out that its eligibility criteria don't include complex needs such as discrimination and mental illness. The Council has recently made a long-term commitment to retain its community housing role and to support its work through modest rate support.

Its service model is similar to that of City Housing, with a team of tenancy managers who each have a caseload of around 300 households. Inspections are carried out once a year. The manager of the Community Housing team deals with complex issues in the first place, and refers cases as needed to local social service providers. There isn't currently a community development function within the housing team itself.

Aspirations for the future include reducing tenancy managers' portfolio sizes to enable a broader focus on the social needs of the tenants<sup>27</sup>. Some thought is being given to enhancing community development, perhaps through strengthening the links between DCC's housing function and its community development work, currently managed separately.

DCC provides a regular e- and hard copy- newsletter for tenants.

The manager has well-developed relationships with service providers, and is considering proposing regular meetings between agencies at a senior level.

Tenant satisfaction is measured annually.

See also [https://www.dunedin.govt.nz/\\_data/assets/pdf\\_file/0010/801676/Annual-Report-2019-20-22-12.pdf](https://www.dunedin.govt.nz/_data/assets/pdf_file/0010/801676/Annual-Report-2019-20-22-12.pdf)

### Haumaru Housing LP

Haumaru Housing is a registered Community Housing Provider, owned by Selwyn Foundation (51%) and Auckland Council (49%). It was established on 1 July 2017.

It manages 1446 units across 62 complexes, and all its 1556 tenants are aged 65+. Its waiting list is managed by the Ministry of Social Development. The land and housing are owned by Auckland City, but the management of the property (including maintenance and development) and tenants is the responsibility of Haumaru.

Like City Housing it has a team of (nine) community managers (with a ratio of 1:160), a property team (with the majority of maintenance outsourced) and a 24-hour phone-in service to respond to inquiries. It has a tenancy quality manager who is a health care professional.

<sup>27</sup> The community housing function is currently located within the Council's general property portfolio which has meant – in the past – a relatively singular focus on its role as a landlord rather than a focus on the wider well-being of tenants. That is currently under active review.

The community managers provide health and safety assurance, and both provide and link people to welfare services for tenants. They are in the complexes at least once a week for "clinics", and undertake "tenant well-being visits" twice a year, along with regular visits to tenants on a tenant needs basis. A wide range of government and non-government organisations provide services to tenants, and Haumaru Housing has active relationships with these providers and links tenants to these services.

Tenant satisfaction is measured annually, and has shown significant improvement since 2017.

See also <https://www.haumaruhousing.co.nz/media/7459/haumaru-housing-annual-report-2019-2020.pdf>

### **Kāinga Ora**

The interview with Crown entity Kāinga Ora focused on its Wellington operations (not including the Hutt and Porirua), which cover some 1600 tenancies, housing 3500 people. Nationally, the most common household composition is a single parent family.

Kāinga Ora is currently redesigning its operating model, aiming – among other things – to reduce tenancy churn. The approach has been dubbed "sustaining tenancies".

The organisation is working to bring down the ratio of tenancy manager: tenants to 1:100 for medium-high needs tenants, and to 1:220 for tenants with lower needs. This will need to be underpinned by needs-based segmentation of tenants: informed by a combination of customer data held on Kāinga Ora's system, outbound calling during Covid-19 lockdowns, and anonymised data from the Integrated Data Infrastructure managed by StatisticsNZ.

There is a clear focus on ongoing relationships with tenants rather than "matching a person to a house, giving them the keys and wishing them luck!".

Tenancy managers have weekly "cafes" with tenants in the larger Kāinga Ora complexes; and in some areas share facilities with WCC.

The staff are talking much more than before to tenants about their needs, their well-being. The approach was described as carrot rather than stick, avoiding the threat of, or need for, evictions.

Like other providers, the emphasis is on navigating people to social services when they're needed, rather than providing those services directly.

Tenant satisfaction is measured quarterly, and has shown significant improvement since 2018.

While performance measures for the new operating model have yet to be developed, early indications of reduction in churn are very positive.

See also <https://kaingaora.govt.nz/assets/Publications/Annual-report/KO100-Annual-Report-2020-v20.pdf>

### **Nelson City Council (NCC)**

Nelson City Council no longer provides social housing – it sold its entire stock to Kāinga Ora in March 2021. This action was driven in part by the looming cost of future upgrades.

It had 142 pensioner houses, and housed 150 people. The housing was available to people aged 55+ and of modest means.

Prior to the sale to Kāinga Ora, and since 2017, its social housing was managed by a registered Community Housing Provider, the Nelson Tasman Housing Trust.

This decision was driven by the need to offer stronger social support to its tenants. NCC knew that the Trust had very good relationships with social service agencies. The arrangement specified by NCC for the Trust included a minimum of two visits annually to the tenants to monitor tenant well-being (and as needed to link tenants to service providers), six-monthly tenant newsletters, and annual tenant surveys.

It was driven too by NCC's recognition that – because the housing stock was small – housing was not 'core business' for it; and that it was the core business of the Trust.

In an unusual move for NCC, rates, in addition to rental income, were used to fund the Trust's services.

After two years of that arrangement, NCC used an registration of interest process to test future options for ownership/management which would retain social support – and chose Kāinga Ora.

See also file:///C:/Users/Mary%20Slater/Downloads/NTHT%20-%202020%20Signed%20Audited%20Accounts.pdf and <https://our.nelson.govt.nz/media-releases-2/nelson-city-council-transfers-community-housing-to-kainga-ora-for-19-8m/>

#### **Ōtautahi Community Housing Trust**

Ōtautahi Community Housing Trust is a registered Community Housing Provider, formed at the instigation of Christchurch Council to manage its social housing stock. The Council capitalised the Trust with a transfer of \$50m assets (circa 430 homes) while retaining ownership of 1860 homes. The Trust has built 160 new homes.

Drivers to establish the Trust included the Council's reluctance to use rates to supplement rental income, and the ability of a registered Community Housing Provider to access central government's Income Related Rent Subsidy. The Trust's governance arrangements have 3 Council appointed trustees, 4 independents and an independent chair.

The housing stock was originally elder persons' housing when the bulk of the stock was built in the 1950s-1960s. Since 2013 the Council housed people of all ages. Some 90% of the tenants used to be over 60 but that has shifted to about 45%. There are some larger dwellings, and the Trust plans to build more family homes.

The operating model for the Trust has changed over the last year. When the Trust was established the model was a traditional tenancy management approach. While initially the Trust undertook four visits a year it moved to two visits in year two. The portfolio size at the Trust on establishment was 220 compared with 340 properties when managed by Council.

In 2019 the Trust actively contacted and maintained contact with tenants as part of its response to the first national Covid-19 lockdown. After lockdown, tenants expressed enthusiasm for continued, regularised contact with the Trust.

As a result, the Trust changed the way in which its staff are organised to support tenants' wellbeing and enhance business support, as the Trust had grown significantly in 4 years.

The Trust has brought its maintenance work in house and has established its own call centre.

The Trust has identified the need for a comprehensive tenancy management system provided by international social housing information specialist Civa. The product, Cx Housing, was described by our interviewee as "the glue to hold the system together".

The Trust has adopted a new approach to community development. The Council had a community development service with activities officers, which took tenants to activities they liked such as mini-golf. The Trust is now focused on developing its volunteer-run Tenant Advisory Group, which is formed to represent the broad tenant cohort and it is empowered

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to organise tenant events as-well-as contribute to OCHT projects and advise the Trust on matters important to tenants. The Trust is pursuing projects to improve tenants' digital capability, including the employment of a Digital Coach to support digital connection and capacity for tenants.

At its latest Annual Review meeting, the Trust reported enhanced tenant satisfaction and employee engagement. <sup>28</sup>

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<sup>28</sup> The Trust's annual reports for 2019 and 2020 were not available at the time this report was prepared.



## Appendix 5 - Overview of City Housing Community Engagement

City Housing supports community activities that are run by tenants and external groups in our community spaces, and we facilitate connections for our tenants to services and groups in the wider community that promote a sense of belonging and wellbeing.

Our approach to community engagement contributes towards two of the four City Housing objectives for social housing. Wellington City Council (WCC) aims to provide:

- communities where people feel safe, have a sense of belonging and are proud to call home; and
- support for Council tenants to improve their quality of life and well-being and to contribute to and benefit from living in Wellington.

This work also aligns with Outcome 4 of Wellington City Council's Housing Strategy for our 10 Year Plan:

Our housing system supports sustainable, resilient and connected communities. Housing is key to enabling connections and social inclusion within and across communities. We will engage with housing stakeholders and the wider community to ensure that:

- housing supports wellbeing (economic, physical, social, cultural), particularly for the most vulnerable
- housing supports connected communities and better placemaking.

City Housing is committed to facilitating holistic approaches to social housing, acknowledging that a roof over one's head is only the first step towards an improved quality of life and sense of belonging to the wider Wellington community. Our approach aims to leverage existing Council and other community stakeholder services to work alongside tenants to achieve tenant-led goals, creating sustainable partnerships that build stronger communities. We put relationships at the forefront of how we work, prioritising the goals that tenants choose to pursue for their community and addressing the barriers and resources needed as much as possible for tenants to lead their own community building. This approach is based on community development frameworks and best-practice approaches used successfully overseas and in New Zealand. Our team is committed to Te Tiriti o Waitangi, building strong relationships with Māori tenants and community partnerships.

Rather than provide community supports internally through City Housing, we develop partnerships with services that specialise in the interests of our tenants and work with all residents in the community. This aligns with our Council value of mahi ngātahi, collaboration, which builds more social capital, avoids duplication of services, and challenges the stigma that suggests that residents who live in social housing need to be somehow separate from everyone else. City Housing, as a part of WCC, is funded solely by tenant rent income and we are unable to access funding for providing community or social services, so it is also important for us to responsibly prioritise our budget towards tenancy and asset management while maximising external social supports that are already funded to cover everyone eligible, including our tenants.

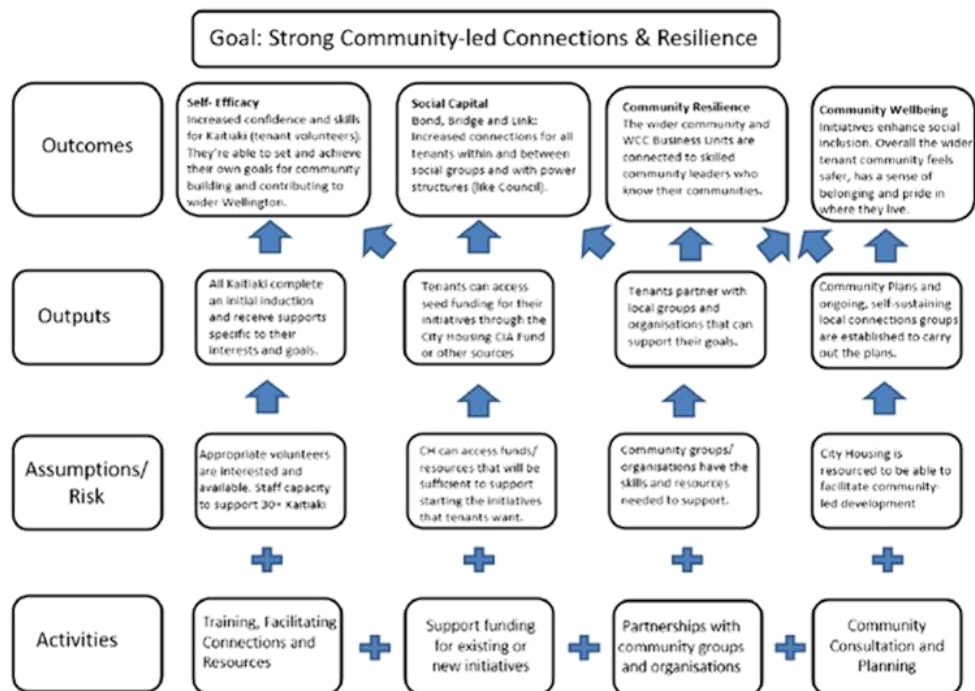
Many of our tenants have significant challenges to accessing these services, and we have over 30 volunteers (Kaitiaki) who have various skills and backgrounds - and all have a passion and commitment for supporting community building in their community. To overcome these challenges and to provide the right supports for Kaitiaki to lead community

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building, our City Housing team provides the promotion and referral for all tenants to existing activities (sometimes this involves an in-person introduction), consultation with tenants to prioritise what they want for their community, and liaison connecting Kaitiaki to the local groups, organisations and skills training in the community that can support them to achieve their own goals. Many community groups partner with us to run activities that tenants want in our community rooms and other spaces across our portfolios, which helps address transport and access barriers as well as provides a hyper-local approach to place-based community building.



#### Current Partnerships for Community Development

Notes:

- Approximate number of participants in brackets
- Activities are weekly unless stated otherwise
- The City Housing Welfare Case Management Service works with some of the agencies below, along with other agencies and groups, in a separate capacity to provide individual supports

Community Group/ Agency	What they do	Where
Age Concern	Monthly coffee groups for seniors (5-15)	Marshall Ct, Newtown Park, Central Park
	Support with monthly Primetimers group-seniors aged 80+ (25)	All properties

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Capital Mosaic	Annual Neighbourly event (200+)	Central Park, Berkeley Dallard, Pukehinau, Etona
	Weekly Kaibosh (free rescued food) (40+)	
	Community Sports Bank and Little Library coordination (new - starting 14 Aug 2021)	
	Kaitiaki capacity building support	
Changemakers Resettlement Forum	Support for the Karen youth group (10)	Based at Rintoul St
	Support for refugee background Kaitiaki	Newtown and Kilbirnie
	Activity promotion to refugee tenants	All properties
Digital Inclusion Alliance Aotearoa	3 Computer and Digital Literacy Groups (5 participants each group)	Newtown Park, Hanson Ct, Central Park
	Access to affordable internet	
	Free devices (laptops or tablets)	
Emerge	Mental health and wellbeing support groups (weekly), (about 10 participants per group)	Newtown Park and Central Park
Free Store	Food donations (coordinated by CH staff and Kaitiaki) (20+)	Lyndhurst and Heath
Kaibosh	Rescued food (in partnership with local community groups and Kaitiaki) (180)	Hanson, Rintoul, Granville, Central Park, Duncan, Kotuku
Koha Clothing (Auckland-based)	Clothing for free or koha (40+ people, random frequency alongside Kaibosh)	Central Park, Berkeley Dallard, Pukehinau, Etona
Newtown Union Health Service	Nurse weekly and GP monthly, health appointments for tenants	Newtown Park
Salvation Army	Bread donation and delivery (Kaitiaki and Tenancy Advisors coordinate) (15 each)	Rintoul and Hanson Ct
Saint Vincent de Paul	Kilbirnie volunteer chapter support with Kaibosh and connections to supports for tenants (100)	Duncan
	Community gatherings (40-50)	

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Shia Muslim Association	Arabic classes for youth (20)	City wide - based in Mt Cook
Sustainability Trust	Free access to gardening workshops, garden coordinator and compost support	All gardens- ongoing
Tēpu mō tātou	Community development and Kaitiaki capacity building (20 hours FTE)	Rintoul and Granville (Berhampore)
	Kaibosh (40) and Fruit & Vege Coop coordination	Rintoul and Granville
	Youth group coordinator (10 participants)	Rintoul
Urban Vision	Women's Group (10-15 participants)	Newtown Park
	Social English (6)	Rintoul
	Playgroup (5)	
	Gardening and event support (casual)	
WCC Libraries	Little Library support and monthly activities run by a librarian (new) - children & youth	Central Park, Berkeley Dallard, Pukehinau, Etona
	Monthly adult literacy and games group run by a librarian (5 participants at a time)	Heath St
WCC Parks Sport and Recreation	Community Sports Bank (new as of 14 August 2021)	Central Park, Berkeley Dallard, Pukehinau, Etona
	Support with play activities at events and supporting Kaitiaki to run them at other times	All CH complexes
	Community gardening support	
WCC Tip Shop and Waste Minimisation	Tip Shop items donated to The Fixery	Granville
	Free compost grant	All active CH gardens (13)
	Waste minimisation and composting training and support	All properties
WCC Community Services	Funding for 2 part-time Community Development roles with Tēpu mō tātou, specifically based in City Housing	Rintoul and Granville
	Support with community connections, neighbours day plans, seeds for gardeners, compost and food sustainability support	All properties



**Tenant-led Groups for Community Development**

Group Name	Community Group Supporting?	Where
Tai Chi for arthritis (5) twice weekly	No	Berkeley Dallard
Tai Chi for everyone (40)	External Chinese community volunteer supporting. Chinese senior tenants leading	Central Park
Community Cuppa/Café Sessions (10-15)	No	Heath St. Central Park, Newtown Park
	Tēpu mō tātou	Rintoul and Granville
Women's Only Nights (30-40)	Urban Vision	Newtown Park
Chinese Choir (30)	External Chinese community volunteer supporting. Chinese senior tenants leading	Central Park
Japanese Dance (10)	No	Central Park
Chinese Reading and Dance group (15)	No	Hanson Ct residents using Central Park's room
Muslim Women's Group (10)	No	Kotuku
Creative Writing (5)	No	Newtown Park
Seniors games nights (6)	No	Pukehinau
Choir (10-12)	No	Rintoul
Somali School Holiday Programme (10)	No	Te Ara Hou

There are currently about 50 ongoing activities that meet at least monthly or more often (most are weekly) across the city. Prior to our first lockdown in 2020, there were about 40. Some of those previous activities never restarted after lockdown ended, and other groups ended as well while other new ones started up - it is constantly changing but room usage is steadily increasing.

Some examples:

Community networks are organic and it is often difficult to capture all the ripple effects and benefits of having an activity, and the connections and offshoots that come from it. An example would be how Capital Mosaic, an external community group based in Brooklyn, started holding an annual neighbours' day at the City Housing complex near where they

lived, Berkeley Dallard, in 2016. They started getting to know tenants there who helped with the organising and promotion, and after getting to know tenants were able to know that there was enough interest and trust with their group for them to run a weekly Kaibosh food distribution. From that they have built further on relationships to support another agency to come sporadically to offer free high-quality clothing, and they recently started to support play activities for youth and a new Little Library, connecting in with our other Council Business Units and supporting more tenant volunteers for support and resources.

Another example would be how a community volunteer supporting Chinese senior tenants across the city linked in with us to organise Chinese New Year celebrations every year since at least 2012. She enabled Chinese seniors to first start up a choir in 2019, which led to them later being able to lead a weekly Tai Chi group starting in 2020: seniors who do not speak English are able to share their skills in teaching Tai Chi to everyone in the community. The Tai Chi group connected to mana whenua who are tenants that attended Tai Chi, who then invited the choir to perform a song in te reo Māori at the Matariki celebration that mana whenua had organised in partnership with our team. One of the Māori volunteers spent every week for months teaching the Chinese choir Māori pronunciation which has led to ongoing friendships and connections for future community activities.

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## NAME CHANGE PROPOSAL FOR POLHILL RESERVES

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### Kōrero taunaki

### Summary of considerations

#### Purpose

1. This report asks the Pūroro Rangaranga | Social, Cultural and Economic Committee to approve a proposal to extend the Waimapihi Reserve name to the area commonly known as Polhill Reserve (refer to Attachment 1).

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- |  |   |
|--|---|
| <b>Strategic alignment with priority objective areas from Long-term Plan 2021–2031</b> | <input type="checkbox"/> Sustainable, natural eco city<br><input type="checkbox"/> People friendly, compact, safe and accessible capital city<br><input checked="" type="checkbox"/> Innovative, inclusive and creative city<br><input type="checkbox"/> Dynamic and sustainable economy<br><br><input type="checkbox"/> Functioning, resilient and reliable three waters infrastructure<br><input type="checkbox"/> Affordable, resilient and safe place to live<br><input type="checkbox"/> Safe, resilient and reliable core transport infrastructure network<br><input type="checkbox"/> Fit-for-purpose community, creative and cultural spaces<br><input type="checkbox"/> Accelerating zero-carbon and waste-free transition<br><input checked="" type="checkbox"/> Strong partnerships with mana whenua |
|--|---|

#### Relevant Previous decisions

A number of open space naming papers have been brought to Council. Most recently, Newlands Park was renamed Pukehuia Park. Naming decisions are guided by the Council's Naming Policy Te Māpihi Maurea 2019.

#### Significance

The decision is rated low to medium significance in accordance with schedule 1 of the Council's Significance and Engagement Policy. The name proposal has a low impact on the Council being able to perform its role. It has generated some localised public interest with a range of differing viewpoints.

#### Financial considerations

- |                              |   |   |
|------------------------------|---|---|
| <input type="checkbox"/> Nil | <input checked="" type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|------------------------------|---|---|

2. The cost of changing the signs is estimated at \$12,000, including altering seven map boards, the large history signs at the bottom of the reserve on Aro Street and the big signs at the entrances of the park. This funding would be reprioritised from the track sign budget and will mean that some updated signage planned for other reserves will need to be delayed.

**Risk**

☒ Low      ☐ Medium      ☐ High      ☐ Extreme

Author	Ella Hardy, Recreation and Parks Planner
Authoriser	Bec Ramsay, Open Space & Recreation Planning Manager Paul Andrews, Manager Parks, Sports & Rec James Roberts, Chief Operations Officer (Acting)

**Taunakitanga**

**Officers' Recommendations**

Officers recommend that Pūroro Rangaranga - Social, Cultural and Economic:

1. Receive the information
2. Agree that 'Polhill Gully Rec Reserve & Town Belt, Panorama Heights Reserve, Holloway Road/Brosnahan Terrace Reserve, George Denton Park (except the play area) and Waimapihi Reserve, Holloway Road' will be named 'Waimapihi Reserve'.
3. Note Officers will reprioritise existing budgets to allow for updating signage in and around the reserve.

**Whakarāpopoto**

**Executive Summary**

4. Currently Waimapihi Reserve is a small reserve at the end of Holloway Road, adjacent to the wider Polhill Reserve area. This proposal recommends extending that name to the wider Polhill Reserve area (the area that is commonly known as Polhill Reserve) excluding the George Denton Play Area (Refer to Attachment 1).
5. This name was suggested by mana whenua group Te Aro Pā Trust and put forward to council by the Polhill Protectors/Ngā Kaimanaaki o Te Waimapihi, who are a local environmental based community group.
6. The proposed renaming is consistent with Council's Naming Policy guidelines.
7. A mixture of targeted engagement and public consultation on the name was undertaken in September 2021. 122 submissions were received with 76% in support, 5% advocating for a dual name, and 16% opposed to the idea.

**Takenga mai**

**Background**

Wellington City Council's Naming Policy Te Māpihi Maurea 2019

8. The Wellington City Council's Naming Policy Te Māpihi Maurea outlines a process and assessment guidelines for assessing a reserve name change. This proposal has been assessed against the guidelines as outlined in the following section.
9. For locally significant reserves, targeted consultation may be appropriate with community groups and mana whenua. This reserve is considered locally significant. Targeted consultation on the name change occurred between the 15th of September and the 8th of October.

The area that is commonly known as Polhill Reserve



- 
10. The area that is commonly or colloquially referred to as 'Polhill Reserve' or 'Polhill Gully' is 74 hectares of regenerating bush, located in the hills in north-west Brooklyn and is part of the Wellington Town Belt. As shown in Attachment 2, it is collectively made up of:
    - A. Polhill Gully Rec Reserve & Town Belt (19ha)
    - B. George Denton Park and Play area (15ha)
    - C. Panorama Heights Reserve (36ha)
    - D. Holloway Road/Brosnahan Terrace Reserve (3ha)
    - E. Waimapihi Reserve (0.8ha)
  11. The area is managed as one area, as the Wellington Town Belt Reserve Management Plan directs.
  12. Collectively, the reserves areas make up part of the Waimapihi Stream catchment and stretch up above Holloway Road to the Zealandia fence line, up towards the Brooklyn Wind Turbine and over to Highbury. These reserves are steep and densely vegetated and contain stands of conifers, regenerating native vegetation and exotic scrub. There is significant native birdlife in the area.
  13. The area is used for informal recreation, with walking and biking tracks that link to the Outer Green Belt. There is a play area in George Denton Park and a WWII anti-aircraft battery installation at the top of the hills.
  14. To users there is no obvious change as you move from one reserve to the other, the variety of names are a product of history when each reserve was gazetted. However, to most users the wider area is known as Polhill Reserve or Polhill Gully. This perception came across in the variety of submissions coming in from locals in Highbury (who technically border George Denton Park), Brooklyn and Aro Valley referring only to Polhill Reserve, except for a few residents in Holloway Road who discussed the reserves as separate areas.
  15. The wider area is denoted as Polhill Reserve by council park signs, and track names, from the bottom of Aro Valley to the Wind Turbine, play equipment in George Denton reserve has signs describing 'Polhill Birds'. George Denton Park has signs at the bottom of Holloway Road and the small reserve at the end of Holloway Road is sign posted Waimapihi Reserve.
  16. This naming proposal recommends keeping the George Denton Play Area name the same and naming the rest of the wider reserves area, Waimapihi Reserve. This is because the play/area is a destination/place in its own right and can be left as it is with the wider reserves named Waimapihi.
  17. The intention is to not include the un-named reserve on the other side of Aro Street, commonly referred to as Kiwifoot as this has a separate identity to the Polhill area.
  18. Discussion with the Geographic Board has confirmed that this name proposal is not a matter for the Geographic Board as it is a name for a collection of reserves.
  19. Legally speaking this naming proposal is an informal name for the collection of reserves that is commonly known as Polhill Reserve.

Polhill Protectors/Ngā Kaimanaaki o Te Waimapihi

20. Council was approached by local conservation focused community group, Polhill Protectors/Ngā Kaimanaaki o Te Waimapihi and Te Aro Pā Trust leaders to change the name of the reserves. Ngā Kaimanaaki o Te Waimapihi described the journey their group

has been on 'learning about their history and the stories of the people who have been connected to them'.

21. Summarising their submission (refer to Attachment 3), they said they reached out to mana whenua and were grateful to Te Aro Pā leaders who took the time to tell them about the Taranaki iwi and Ngāti Ruanui 19th century Te Aro Pā settlement. The inhabitants were nourished by the waters of Waimapihi Stream, and harvested kai from it, and flax from its banks. The Te Aro Pā leaders talked to them about their tipuna (ancestors) and connection to Waimapihi (and the pain of being displaced from it). They found out about the importance of the name 'Waimapihi', as the name of awa itself and as the name associated with the wider area.
22. Ngā Kaimanaaki o Te Waimapihi said *'As a result of our journey, we – Polhill Protectors – would like to be a part of normalising and encouraging the wider use of the name Waimapihi in 21st Century Wellington/Pōneke and you'll start to see us using 'Waimapihi' for the reserve and our gifted name for the group 'Nga Kaimanaaki o Te Waimapihi' alongside Polhill Protectors. We hope that the celebration of the name 'Waimapihi' will acknowledge the place of iwi mana whenua, and in doing so, help protect the awa (waterway) and ngahere (forest) it denotes'*

#### Waimapihi

23. 'Waimapihi' refers to the waters of Mapihi, who was a rangatira of Ngāi Tara and Ngāti Mamoe. Mapihi bathed in the stream. Ngāi Tara and Ngāti Mamoe were the earliest iwi to settle Wellington.
24. The inhabitants of the Te Aro Pā regarded the Waimapihi Stream as a culturally significant waterway; it was an important mahinga kai site and a source of water for drinking and irrigation of kumara and flax cultivations. Fresh water sources hold great importance for Māori. They provide kaimoana and sustain plants that were, and still are, used for traditional food.
25. It is important to note, the stream was also called/known as the Te Aro by current mana whenua; Te Atiawa, Taranaki Whanui and Te Aro Pā inhabitants. However, mana whenua representatives from the Te Aro Pā Trust commented that they wanted to honour the original stream name from Ngāi Tara and Ngāti Mamoe by renaming the reserve Waimapihi.
26. The current Waimapihi Reserve area is only a small part of what the public has come to know as Polhill Reserve. but the catchment and extent of Waimapihi tributaries are larger as shown on Attachment 4. The area commonly referred to as Polhill reserve forms part of this catchment and is the proposed extent of the Waimapihi reserve name.

#### Polhil

27. Polhill Reserve was named after Baker Polhil, an early European settler who lived in Wellington from 1841 to 1849. Polhil established a business where he offered "fire-wood, any quantity—from ten to five hundred loads; also spars, poles, rafters and knees for ship-building". Polhil harvested timber from the reserve area, however there is no evidence that Polhil owned the land from which he harvested this timber, but even so, the area became known as "Polhil's Gully" (or Polhill Gully). Polhil and his family moved to Christchurch in 1849.
28. Community submissions provided differing sentiment about Polhil and Polhil's contributions to Wellington. A summary of submission is attached.

## **Discussion**

### Council Naming Policy Te Māpihi Maurea guidelines

29. The suggested name was assessed against the naming policy criteria as outlined below:

- A. Waimapihi is an **appropriate te reo** name for an important site to mana whenua.
- B. It is already **in common use** by much of the community in the area, with community groups, for example by the Polhill Protectors/ Ngā Kaimanaaki o Te Waimapihi and the Mountain Bike Club with their Waimapihi Enduro event. Some submitters even said that, they consider the whole area Waimapihi already.
- C. It tells stories about **the history or feature**, the Waimapihi was a significant stream that went past Te Aro Pā and originates in this reserve area. A number of tributaries also exist in the wider reserve.
- D. It also **reflects the local landscape**, that is, it is part of the catchment area for the Waimapihi Stream.
- E. It is not an entirely **'unique'** name as the name is an extension of the existing Waimapihi reserve name at the end of Holloway Road. Furthermore, there is a small Waimapihi Stream in the Secret Valley Reserve in Pukerua Bay, Porirua and Waimapihi Pa site in Pukerua Bay, Porirua. However, because this is about extending the reserve name that is already there, this is deemed an acceptable contention.
- F. The name is less than 12 characters, is relatively **simple** and easy to say. It is also **respectful** and unlikely to cause offence.

30. In summary the name is consistent with the guidelines set out in the Council Naming Policy Te Māpihi Maurea

31. However, the policy states on pg11: *'the Council will not generally consider renaming open spaces, with the exception of introducing dual names following engagement with mana whenua'*. Despite this statement there is precedence of single te reo names being used for renaming open spaces including Pukehuia Park in Newlands.

### Summary of Submissions and Responses

32. A full summary of submissions is available in Attachment 5. 122 submission were received with 90 submissions in support of the name change. 20 submissions opposed, six identifying they are supportive of a joint name and four others. There were strong views expressed in the submissions.

33. Submitters in support of the proposal listed many reasons for supporting the name change. Some focused on the meaningfulness of recognising te reo place names to support our indigenous culture and show respect for mana whenua. Other supporters focused on the symbolic name change as being more 'fitting' for a nature reserve, as opposed to Polhill, who cut down trees. Other submitters identified the importance of the stream and supported valuing that stream. And other submitters in support identified the area as always being considered Waimapihi to them. We also heard from some tangata whenua who identified the change as significant to them.

34. The 20 submitters opposed also had several reasons for opposing the change. Some argued that it was important to acknowledge the contribution that Polhill made as an early settler and business owner in Wellington, that the name has historic significance to them. Some believed the name change was arbitrary, and a waste of time and money, and another pointed out that the small reserve is already called Waimapihi, so that already gives relevance to Maori.

35. Importantly, one commentator talked about how he was related to Polhill- and therefore it is important to his whakapapa. He did say he would be okay with a dual name. It is worth noting that if the name change goes ahead, the Polhill name could still be used in the

name of the tracks and through updated historic information, at the bottom of the reserve on Aro Street.

36. Another concern raised by members in the Holloway Road community was that they would lose the identity of 'their' small Waimapihi Reserve. There has been an active conservation group working on the Waimapihi section of the reserve since the 1980s, and they are rightfully proud of that. Counter to this point we heard from other members in the Holloway Road community that they had always considered the wider area Waimapihi *'When the Mitchelltown Society restoration group under Di MacMillan first gave the name Waimapihi to the land at the top of Holloway Road it was considered that Polhill Gully was a part of that reserve'*.
37. Another point in opposition was that the Polhill Gully is a different, separate area to Waimapihi and that the Waimapihi Stream tributaries do not originate in Polhill Gully. The Polhill Gully is a separate gully; however it does have a tributary that leads to the Waimapihi Stream and is therefore part of the Waimapihi catchment (Refer Attachment 4).
38. Similarly, we heard that changing the name will make it harder for people and emergency services to find each other in the wider reserve area and, one submitter suggested that keeping the land parcels names recognises the layers of history in the area. Others said the distinctions between the reserves are 'confusing' and seemingly arbitrary for users.
39. Another point was concerned about the track use and what a name change would mean for the current Waimapihi, walking only tracks. The name change would not result in any track use changes. However, if the name proposal goes forward, council would update the Open Space Access Plan and council information to emphasise this. Also, council officers could work with Holloway Road residents and community groups to investigate signage options as new name signs are installed.
40. Another concern raised was if Waimapihi was the right tupuna name for the area or whether it was the legitimate Maori name. The name was suggested to by Te Aro Pā Trust who considered the name an appropriate name for the area that acknowledges the Ngāi Tara and Ngāti Mamoe name for the stream.
41. Other commentators suggested that a dual name was a better way forward, as it reflected the bicultural nature of New Zealand, and incorporated 'both' historical connections to the land. Others also argued that keeping English names alongside others help people to know where they are and avoided confusion for people finding sites.
42. One approach put forward was to name the wider reserve Waimapihi and rename each individual parks the following:
  - A. *Waimapihi Reserve - Polhill Gully*
  - B. *Waimapihi Reserve - Brosnahan Terrace*
  - C. *Waimapihi Reserve - George Denton*
  - D. *Waimapihi Reserve - Holloway Ramble*
  - E. *Waimapihi Reserve - Panorama Heights*
43. This approach has its merits, and it responds to most of the concerns raised by the community, however, it is potentially complicated for people to use on the ground, as most people using this area commonly refer to the wider area as just Polhill Reserve. It would not be short and simple as per the naming guidelines.



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## Kōwhiringa

### Options

44. Option One is to extend the Waimapihi name to all the area commonly referred to as Polhill Reserve (as per Attachment 1) and name the area Waimapihi Reserve.
45. Option Two is to use a dual name. There are two options for this:
- A. The collection of reserves could be renamed: Waimapihi/Polhill Reserve
  - B. The collection of reserves could be renamed Waimapihi Reserves and within that there could be (refer to Attachment 6):
    - i. Waimapihi Reserve
    - ii. Waimapihi Reserve - Polhill Gully
46. Option Three is to keep the status quo and make no changes.
47. On balance, officers recommend Option One because it is the short and simple approach and meets the Policy Naming guidelines. It gives effect to acknowledging the tangata whenua connection to the area and the stream. It gives effect to Council's vision of becoming a te reo Māori city and it reflects that public support was overwhelmingly in favour of the name change. The contribution that Polhill made to Wellington, while he lived here, can be recognised in historic information boards and with the continuation of the Polhill Track and the geographic feature that is named Polhill Gully.
48. A dual name like Option Two (A) might mean people would continue to refer to it as Polhill Reserve and not Waimapihi Reserve and it would not be short and simple.
49. A multi name option like Option Two (B) identifies that there are two distinct gullies. However, Polhill Gully can still exist as a geographical feature within the Waimapihi Reserve, without requiring its own separate reserve name. There are many parks in the Wellington Town Belt that are as large as Polhill Reserve and only have one name e.g., Te Ahumairangi and Mt Victoria/Matairangi.

## Whai whakaaro ki ngā whakataunga

### Considerations for decision-making

#### Alignment with Council's strategies and policies

50. The proposed name change is consistent with the Naming Policy Te Māpihi Maurea guidelines and Te Tauihu (Te Reo Māori Policy) vision of Wellington becoming a te reo capital city by 2040 by recognising the importance of te reo Māori and revitalises the language within Wellington City/Te Whanganui o Tara.
51. The proposal is consistent with the Wellington Town Belt Management Plan and the Wellington Town Belt Acts Principle that *the Wellington Town Belt should be managed in partnership with mana whenua, and that the historic and cultural heritage of the Wellington Town Belt should be recognised and protected. The Town Belt has a rich and diverse history, and the Council recognises that the historical link of mana whenua to the land has not been well acknowledged in the past. The Council intends to take significant historical and cultural values into account when making decisions about the Town Belt.*
52. It also aligns with the long-term direction in Our Vision 2040 to ensure sites of significance to mana whenua are preserved and recognised as part of city's identity and

that strong partnerships with mana whenua uphold Te Tiriti o Waitangi and weave Te Reo and Te Ao Māori into the social, cultural, environmental, and economic development of our city and restore our city's connection with Papatūānuku (Mother Earth).

### **Engagement and Consultation**

53. Signs were placed on all entrances of the wider reserve area in mid-September asking for people's feedback on the proposed name extension.
54. Local community groups and resident associations were contacted about the proposed name change. Emails were sent to Brooklyn Residents Association, Highbury Residents, Aro Valley Community Council, known stakeholders in the Holloway Road community, Polhill Protectors/Kaimaanaki o te Waimapihi, Predator Free Brooklyn, Predator Free Aro Valley, Brooklyn Trail Builders, Taneara Gully Restoration Group, Taneara park Community Garden and Friends of Wellington Town Belt. Discussions were held on major community Facebook groups.
55. Council officers also put out a press release and notices via Council newsletters and social media about the name proposal.
56. Te Aro Pā Trust leaders, who suggested the name extension, talked to other mana whenua groups about the name change proposal.
57. We had 122 submissions and 92 submissions agreed with the name proposal and 20 opposed. For a full summary of the feedback received refer to Attachment 5.

### **Implications for Māori**

58. The name extension of Waimapihi was suggested by Te Aro Pā Trust. As described above the Waimapihi is an important stream for Te Aro Pā, as their pā site was located next to it.

### **Financial implications**

59. The cost of changing the signs is estimated at \$12,000, including altering seven map boards, the large history signs at the bottom of the reserve on Aro Street and the big signs at the entrances of the park. This funding would be reprioritised from the track sign budget and will mean that some updated signage planned for other reserves will need to be delayed.

### **Legal considerations**

61. Appropriate engagement has been undertaken to support this decision.

### **Risks and mitigations**

62. Overall, there is low risk associated with the name change. Although engagement indicates that there is some moderate reputation risk, with some members of the public feeling very strongly about the name of the reserve.

### **Disability and accessibility impact**

63. There are no significant impacts on people with disabilities or accessibility needs.

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

64. There are no climate change impacts from the name change.

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## **Communications Plan**

65. If the proposed name is approved by Council, officers will arrange for appropriate signage and communications, including Council records and the website to be updated to reflect the new name.

## **Health and Safety Impact considered**







66. There are no health and safety matters to consider.

## **Ngā mahinga e whai ake nei**

### **Next actions**

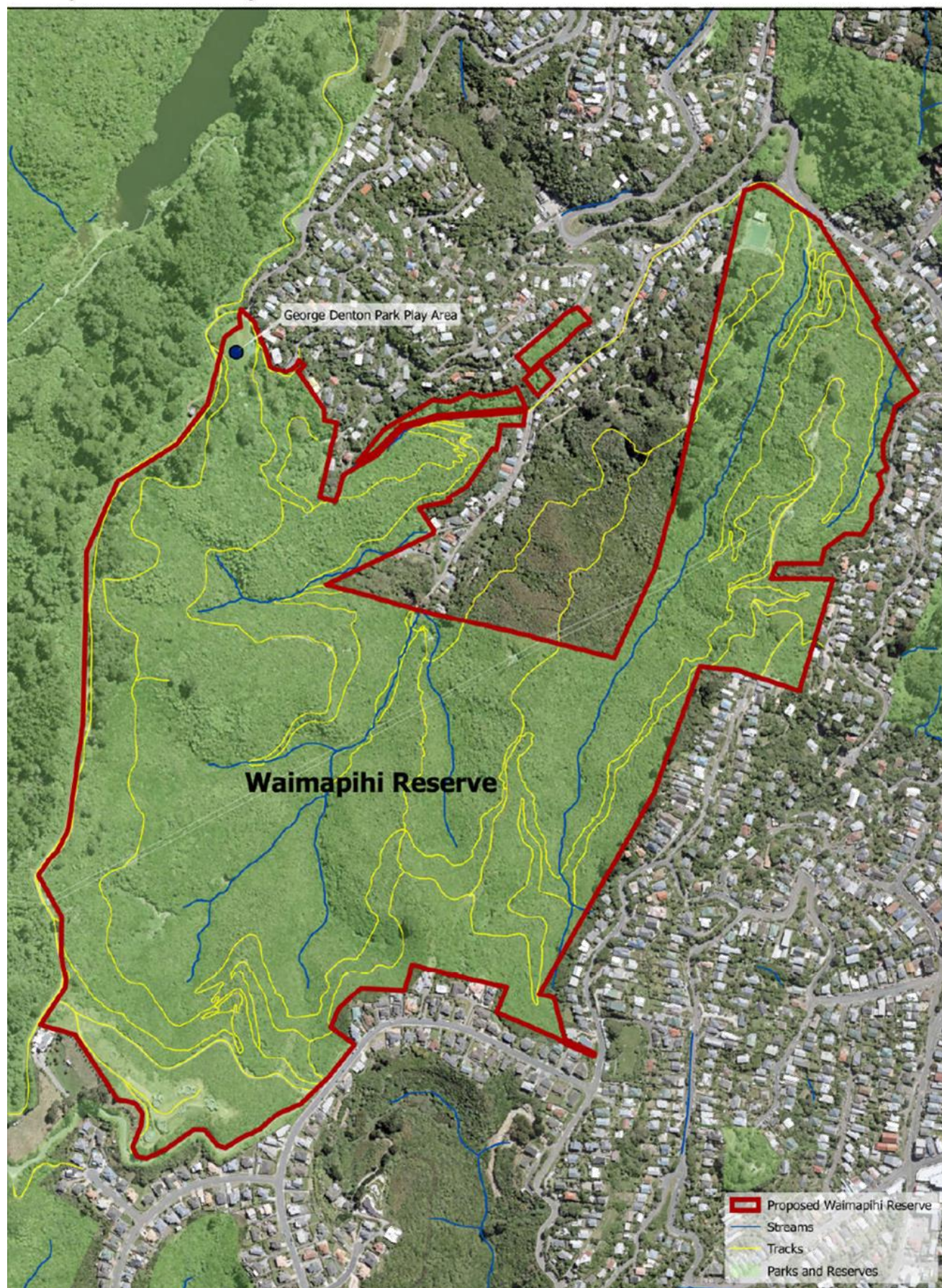
67. If approved, funding would be reprioritised for new signs to be installed with the new name and council maps updated.
68. The Open Space Access Plan will be amended, and trail maps updated on the council website to reflect that the trail use types are not changing.

## **Attachments**

Attachment 1.	Proposed Waimapihi Reserve <a href="#">↓</a> 	Page 62
Attachment 2.	Existing Polhill Reserves <a href="#">↓</a> 	Page 63
Attachment 3.	Proposal Submission from Polhill Protectors/ Ngā Kaimanaaki o te Waimapihi <a href="#">↓</a> 	Page 64
Attachment 4.	Waimapihi Stream <a href="#">↓</a> 	Page 66
Attachment 5.	Submission Summary <a href="#">↓</a> 	Page 67
Attachment 6.	Proposal 2B Waimapihi & Polhill Gully <a href="#">↓</a> 	Page 70



## Proposed Waimapihi Reserve





## Existing Reserves Commonly Referred to as Polhill Reserve





### **Proposal from the Polhill Protector/ Ngā Kaimanaaki o te Waimapihi**

Polhill Protectors are a bunch of people looking after te taiao on the hillsides: we include residents, locals, families, riders, runners and ramblers. Our kaupapa is to promote behaviours (pest trapping, tree-planting, weeding, advocacy) that are “neighbourly with our natives” and do so inclusively.

- As part of our journey looking after the hillsides we've been learning about their history and the stories of the people who have been connected to them. This included learning about the names 'Polhill' and 'Waimapihi' (see descriptions below for more details on those names).
- We reached out to iwi mana whenua to hear their stories. We were connected with Holden Hohaia of Te Aro Pā Trust. Te Aro Pā was a 19th Century settlement of Taranaki iwi and Ngāti Ruanui (the pā site was roughly where Courtenay Place and Taranaki Sts intersect now). They were nourished by the waters of Waimapihi Stream and harvested kai from it, and flax from its banks. A colonial combination (earthquake, disease, pressure for land for the Pākehā settlement) saw iwi progressively displaced from the area from the mid-19th Century onwards.
- We are very grateful to Holden Hohaia, Hannah, Terese, and Rawiri for meeting and talking with us about their tipuna (ancestors) and connection to Waimapihi (and the pain of being displaced from it). In September we met at Waimapihi to plant some rakau (trees). It was moving and profound.
- As a part of this ongoing kōrero we have learned of the importance of the name 'Waimapihi', as the name of awa itself and as the name associated with the wider area. We were largely ignorant of this history, and unwittingly played a part in its suppression through helping popularise the name 'Polhill' as the name for the hills, gully and catchment associated with burgeoning community conservation efforts.
- As a result of our journey, we – Polhill Protectors – would like to be a part of normalising and encouraging the wider use of the name Waimapihi in 21st Century Wellington/Pōneke and you'll start to see us using "Waimapihi" for the reserve and our gifted name for the group 'Nga Kaimanaaki o Te Waimapihi' alongside Polhill Protectors. We hope that the celebration of the name 'Waimapihi' will acknowledge the place of iwi mana whenua, and in doing so, help protect the awa (waterway) and ngahere (forest) it denotes.
- These hillsides mean different things to all of us, but we have in common a commitment to care for them and collectively create a place of mutual respect where te taiao (nature) thrives alongside people. We also hope that this exploration of names and history encourages other community groups across the region to connect and build meaningful relationships with mana whenua.

See below for more information regarding the history/whakapapa of each name

#### Who was Polhill?

'Polhill Reserve' was named after settler Baker Polhill (1798-1853), who arrived in Te Whanganui a Tara in 1841. He established a business on lower Aro Street selling “fire-wood, any quantity” ... “from ten to five hundred loads; also spars, poles, rafters and knees for ship-building” . There is no evidence that Baker Polhill ever owned this land from which he harvested all of this timber but even so, this area became known as Polhill Gully, and Polhill is now a name that for many Wellingtonians – residents, families, ramblers, runners, riders – broadly encompasses the hills at the end of Aro Street bordered by Brooklyn, Highbury and Aro Valley! Check out Wellington City Council's website for more history.

Who was Waimapihi?

'Waimapihi' is the name for the stream and wider catchment that holds huge cultural significance in the area. 'Wai' meaning 'water' and 'Mapihi' being the local chieftainess who used to bathe in this stream. 'Waimapihi Reserve' (from the end of Holloway Rd to the headwaters beneath the Wind Turbine) represents a part of a much larger catchment.

Before its interruption and its re-routing into pipes beneath the city, Waimapihi was a valuable food and water source for tangata whenua, running all the way down from the Aro Valley headwaters to the harbour, past Te Aro Pa to where the lagoon, wharewaka and boat sheds now are.

Most of this information is also listed on the WCC website, which I've listed below:

<https://wcc.maps.arcgis.com/apps/webappviewer/index.html?id=ecc904e99ef34dabb2401c55dc28677d&fbclid=IwAR1kLxwqJULF4WsMZNA5SZZh7Jeagk4hDAv8-JNY44IEoj80NN39a-7nkeI>  
<https://wellington.govt.nz/~media/your-council/plans-policies-and-bylaws/plans-and-policies/a-to-z/naming/j009364-naming-policy.pdf?la=en>  
<https://wellington.govt.nz/recreation/enjoy-the-outdoors/parks-and-reserves/town-belt-reserves/george-denton-park-and-polhill-reserve/polhill-reserve-history>

Here is a link to Honaia Love's korero about name changes

[https://ngataonga.org.nz/about/news/taunaha-whenua-naming-the-land?fbclid=IwAR3x60gQd2m4c75Nd4\\_KzX346j-X1qziNhSoHy7\\_yPgiU0s3MowTQ1IubBY](https://ngataonga.org.nz/about/news/taunaha-whenua-naming-the-land?fbclid=IwAR3x60gQd2m4c75Nd4_KzX346j-X1qziNhSoHy7_yPgiU0s3MowTQ1IubBY)

Some other informative links:

<https://www.google.com/maps/d/u/1/viewer?mid=1l0LFws51q5JqkZbB3WzzE5tcfP-GBnUO&ll=-41.24554942490213%2C174.9414925&z=11>

<https://www.google.com/maps/d/u/0/viewer?mid=1l0LFws51q5JqkZbB3WzzE5tcfP-GBnUO&ll=-41.29278832708457%2C174.77161210983277&z=16>

<https://www.wcl.govt.nz/maori/wellington/branchnames.html>

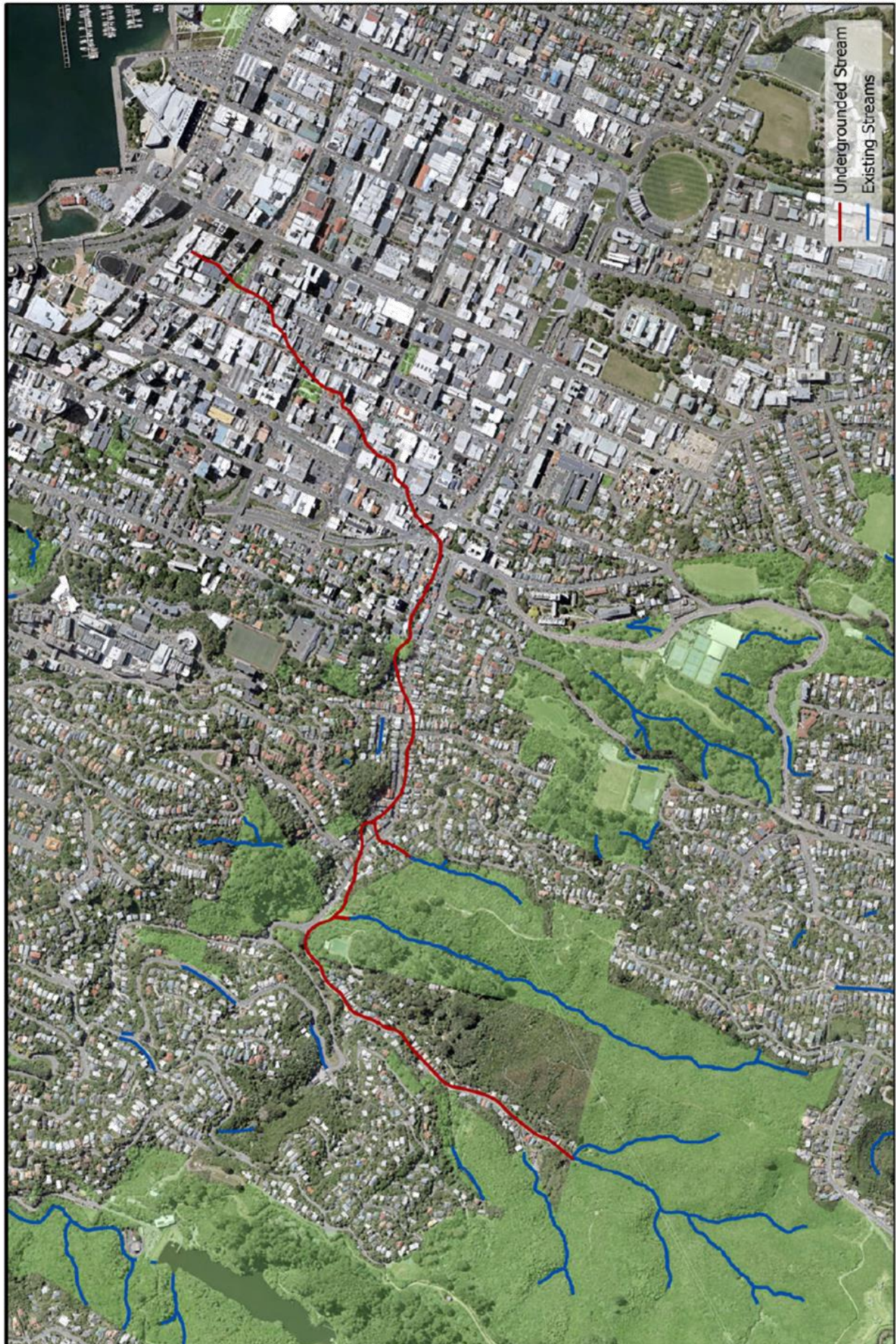
<https://www.google.com/search?q=honiana+tepuni&oq=honiana+tepuni&aqs=chrome..69i57j46i13i175i199j69i57j69i60i5.2559j0j7&sourceid=chrome&ie=UTF-8>

Other names associated with Polhill/Waimapihi:

- George Denton Park is named after George and Eliza Denton, whose son purchased 15ha of land and later donated it to WCC in 1951 in memory of his parents.
- There is also John Fitchett, who purchased land in 1852 and started a dairy farm called Fitchett Farms (yes, Polhill was once a dairy farm as well). His son Ashton Fitchett later acquired the land and sold most of it in different lots.



Waimapihi Stream





## Feedback Summary: Polhill Reserve Name Change Proposal

### Overview

In total we received 122 submissions. 92 of the submissions were in support of the name change, 20 opposed, 6 identified they were supportive of a joint name and 4 others.

Councillors have access to all the individual submissions.

### Summary table

POINTS	RESPONSE
<b>In support (92 submissions)</b>	
1. Many commentators that were supportive of the name change focused on the significance of Waimapihi for maori and mana whenua. They suggested that acknowledging the tangata whenua relationship with the land was a good thing to do and the right thing to do.	This aligns with Councils Vision of becoming a te reo city by 2040.
2. Many commentators that were supportive of the name change commented on the importance of using te reo names and how it fits into the goal for Pōneke to become a te reo capital city.	This aligns with Councils Vision of becoming a te reo city by 2040.
3. Some commentators focused on how the name change proposal was significant to them as tangata whenua.	Noted
4. Other commentators focused on the name changing being a symbolic acknowledgement of the value of the stream, and that it recentres the importance of waterways. Many pointed out separately that they would like the stream to be exposed.	Noted
5. Many commentators argued that Polhill was cutting down the bush and therefore this wasn't a good reflection of what the reserve area means to them now. That the name proposal was more fitting.	Noted
6. Some commentators focused on the Polhill name and the connection to Polhill the settler as being a bit random or unimportant.	Noted
7. Some commentators were concerned about the colonial history that Polhill was part of. They pointed out, that Polhill didn't own the land. In adverse they said that the name change would be a gesture in undoing the wrong doings of colonisation and the wrong doings to local hapu through colonisation.	Noted
8. A few commentators pointed out that they already call the area Waimapihi, or that people are already calling it Wamapihi and one person even pointed out that in the 1980s when the Mitcheltown society group first named Waimapihi reserve, they considered that Polhill Gully part of that.	Noted

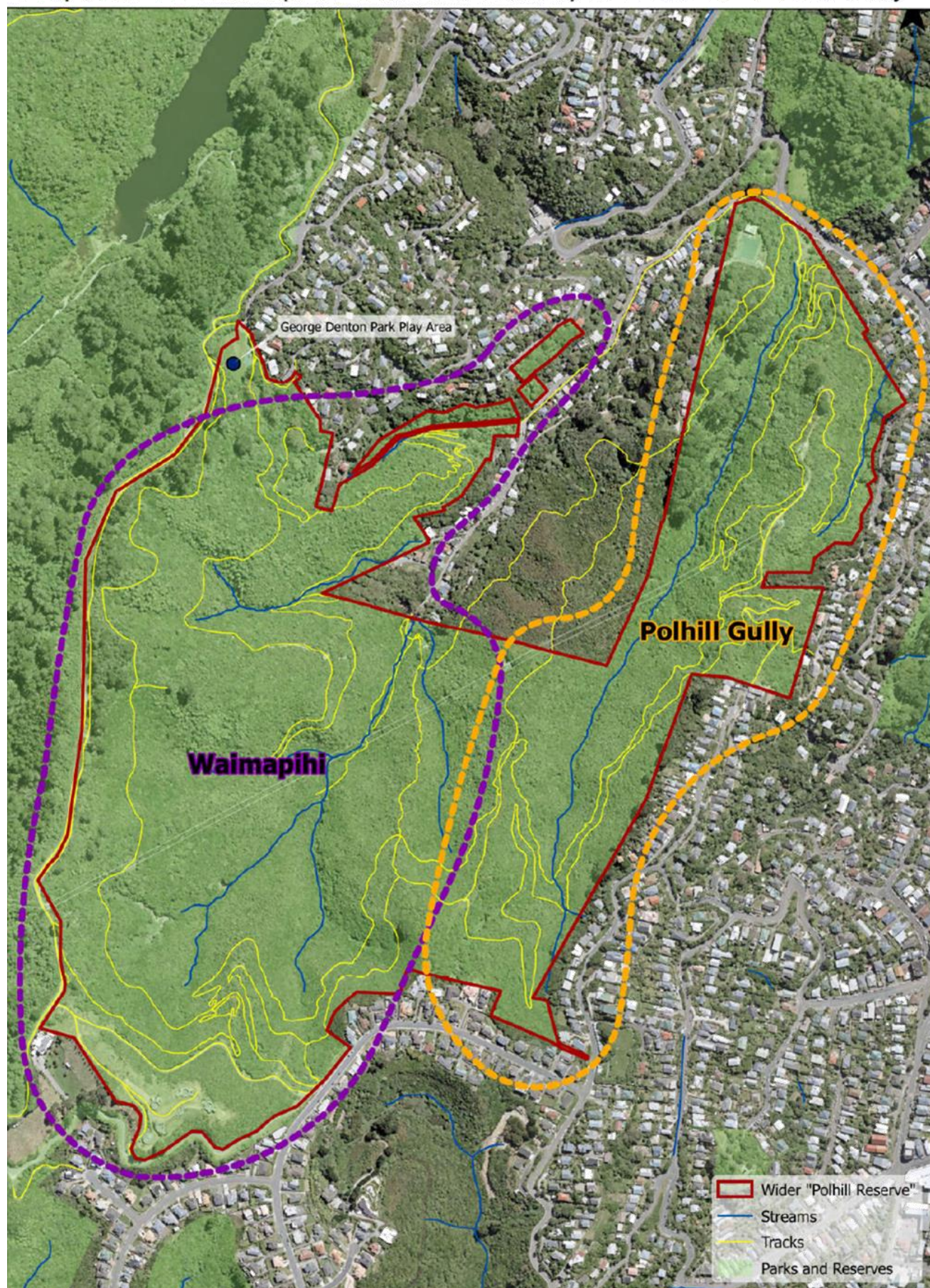


9. A commentator talked about the individual reserves and finding the distinction confusing.	Noted
<b>Opposed (20)</b>	
10. Some commentators who opposed the name change, talked to Polhill's important historical connection to the area and that, that history was just as important to many. Some focused on him being a business operator in the area who contributed to early economic growth of Wellington, one of the first hardworking European settlers. They said the name Polhill celebrated the history of European use of the area. Some pointed out that erasure of non-maori history is divisive and unnecessary.	If the name proposal is accepted, this history could be honoured with history information on signs on Aro Street and with the Polhill Track name. Also, the feature that is Polhill Gully would remain.
11. Some commentators opposed, suggested that the name change was arbitrary and that it was a waste of time and money.	Council is required to consider name proposal using the naming policy.
12. A couple of people raised geographical points against the name change, including that the Waimapihi is a different catchment area to Polhill Gully, and that the tributaries do not originate in the gully.	The specific Polhill Rec Reserve includes a tributary to the Waimapihi. The wider Polhill Reserve area includes the originating stream. Refer to Attachment 4. It is a separate gully.
13. Other arguments against, included; that the Waimapihi would be difficult to pronounce and that the bush reserve is already called Waimapihi, so it is already relevant, so why extend it.	Noted
14. Importantly, one commentator talked about how he was related to Polhill and therefore it is important to his whakapapa. He said he would be happy with a dual name.	If the name proposal is accepted, we could honour Polhill with history information on signs on Aro Valley and with the Polhill track name. Also, the geographic feature that is Polhill Gully would remain.
15. Some commentators from Holloway Road, were concerned about the loss of the name of their reserve and the loss of the individual identity of 'their' Waimapihi reserve, that they had looked after since the 1980s. They were particularly worried about what this would mean for mountain biking in this area.	The name change will not impact on existing uses of the park. Council can investigate improving signs to make this clear.
16. A couple of commentators suggested it was just wokism and that the iwi has no presence there anymore.	Council has a vision to make Wellington a te reo city and a policy to consider te reo names for open spaces.
17. Some commentators questioned whether Waimapihi was the appropriate tupuna or maori name for the area.	The name extension suggestion came from Te Aro Pā for a Ngāi Tara and Ngāti Mamoe name for the stream.
<b>Dual name (6)</b>	

18. The dual name concept was a theme that was raised. A number of commentators suggested, this was the more sensible direction to go for renaming the reserve because it celebrated the bicultural nature of New Zealand. They also argued that this is a solution that would be acceptable to most people.	Noted
19. Others argued for a dual name because it would be confusing for people and they would not know where the location is.	Noted
20. Some argued for an approach where the land parcels were kept, but that Waimapihi was provided as the overall name for the reserve. That it was important for history sake to keep these land parcels, and one argued that it was important to keep so that emergency services could find people.	Noted
<b>Other points</b>	
21. Some commentators suggested that the consultation was redundant and pointless.	Noted
22. The Brooklyn Trail Builders suggested that the Open Space Access Plan may need to be updated to reflect that the track types are not impacted by the name.	Noted, if the name change goes forward, council will update the Open Space Access Plan and Wellington communications to reflect this.



## Proposal 2B: Waimapihi Reserve & Waimapihi Reserve - Polhill Gully





## REPORT BACK ON CHANGES TO THE LEISURE CARD SCHEME

### Kōrero taunaki

### Summary of considerations

#### Purpose

1. This report to Pūroro Rangaranga - Social, Cultural and Economic provides an update on the impact of the 2019 review of the Leisure Card Scheme.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- |  |   |
|--|---|
| <b>Strategic alignment<br/>with priority<br/>objective areas from<br/>Long-term Plan<br/>2021–2031</b> | <input type="checkbox"/> Sustainable, natural eco city<br><input checked="" type="checkbox"/> People friendly, compact, safe and accessible capital city<br><input type="checkbox"/> Innovative, inclusive and creative city<br><input type="checkbox"/> Dynamic and sustainable economy<br><br><input type="checkbox"/> Functioning, resilient and reliable three waters infrastructure<br><input checked="" type="checkbox"/> Affordable, resilient and safe place to live<br><input type="checkbox"/> Safe, resilient and reliable core transport infrastructure network<br><input type="checkbox"/> Fit-for-purpose community, creative and cultural spaces<br><input type="checkbox"/> Accelerating zero-carbon and waste-free transition<br><input type="checkbox"/> Strong partnerships with mana whenua |
|--|---|

#### Relevant Previous decisions

On 13<sup>th</sup> June 2019 the City Strategy Committee agreed to recommendations for improving the Leisure Card Scheme and requested that Officers report back on the impact on the changes after two years.

#### Financial considerations

- |                              |   |   |
|------------------------------|---|---|
| <input type="checkbox"/> Nil | <input checked="" type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|------------------------------|---|---|

2. The Leisure Card scheme cost \$55,000 per year to administer and manage. Leisure Card members receive discounts of between 20% and 50% on WCC programmes and services. Recent survey results suggest that up to 75% of current Leisure Card members would not visit WCC facilities without a Leisure Card meaning that rather than reducing revenue by discounting existing customers, the scheme increases revenue by making facilities accessible to new customers, albeit at a discounted rate.

#### Risk

- |   |                                 |                               |                                  |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

Authors	Sarah Murray, Customer and Community Partnerships Manager Alexi Trenouth, Play and Active Recreation Partnership Lead
Authoriser	Paul Andrews, Manager Parks, Sports & Rec James Roberts, Chief Operations Officer (Acting)

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## Taunakitanga

### Officers' Recommendations

Officers recommend that Pūroro Rangaranga | Social, Cultural and Economic Committee:

1. Receive the information
2. Notes the June 2019 City Strategy Committee resolution that Officers *“review the Leisure Card scheme after two years and report back to Council on the impact of the changes to the scheme”*
3. Notes the information contained in this report
4. Note that Super Gold Leisure Card members who joined the scheme prior to 2019 will continue to enjoy the benefits of lifelong membership.

## Whakarāpopoto

### Executive Summary

3. This report provides an overview of the impact of the Leisure Card scheme following changes made by the City Strategy Committee (CSC) in 2019.
4. Changes included reviewing eligibility criteria, improving the application process, increasing the validation period, improving understanding and awareness of the scheme, extending the range of discounts available and entering into partnerships with community organisations and social agencies to better reach target communities.
5. The review also recommended removing the Super Gold Card holder eligibility category and introducing a Super Gold Card discount outside of the scheme.
6. Since 2019 both Leisure Card membership and Leisure Card use at WCC facilities has steadily increased, however there remains significant room for growth and ongoing work is required to ensure eligible communities are aware of the scheme and supported to join and become regular users of facilities.
7. The introduction of Leisure Card Partner organisations has been a success and there are now 30 community organisations and social agencies working with Council to support eligible communities into the scheme. Officers have worked with partners to deliver a range of events and opportunities for Leisure Card members both within and outside of WCC facilities.
8. Changes to the sign-up process, including allowing Leisure Card Partners to issue cards directly to their clients, have been well received and both partners and members highlight this as a significant positive change.
9. Awareness of the scheme amongst eligible communities has improved and the introduction of a regular eNewsletter provides a way to connect regularly with members and support them to be active. Despite this, the scheme is still viewed as a swimming pool discount scheme, and there is an opportunity to increase awareness of the range of other discounts available and other ways in which Leisure Card members can be active including outside of facilities.
10. Survey results show Leisure Card members are interested in trying new activities and there is an opportunity to work with new organisations including private providers and sports clubs, to increase the range of discounts available to Leisure Card members.



11. There are approximately 840 Super Gold Leisure Card members who joined the scheme prior to 2019 and regularly use WCC facilities. Rather than grandparenting these members out after two years as per the 2019 CSC report recommendations, Officers now recommend allowing Super Gold Leisure Card members to continue to enjoy their lifelong membership.

## **Takenga mai**

### **Background**

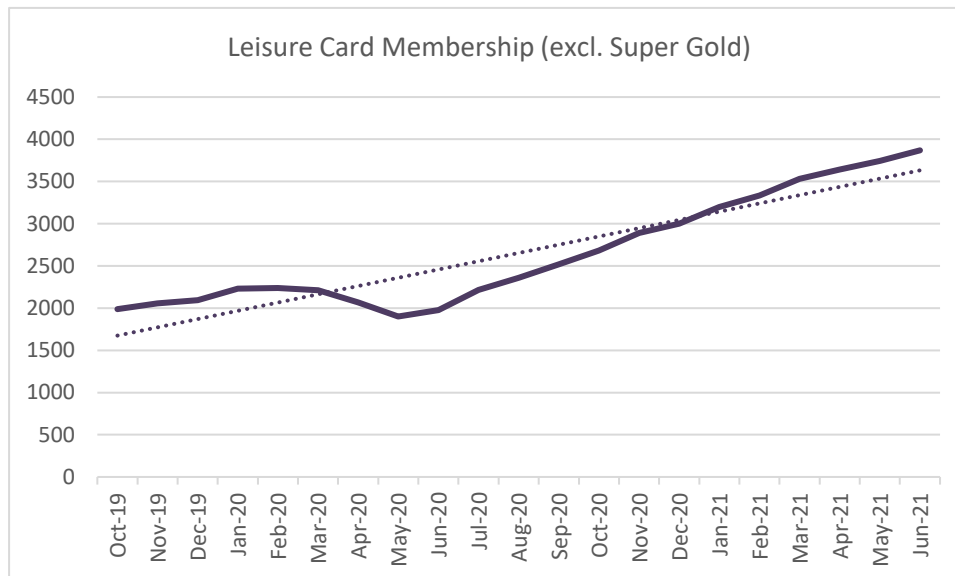
12. The Leisure Card scheme aims to support all Wellingtonians to be active and healthy by removing cost as a barrier to accessing recreation.
13. In 2018/2019 Officers undertook a major review of the scheme and recommended several changes including extending eligibility to anyone supported by a community organisation or social agency who joins the scheme as a Leisure Card partner.
14. In June 2019 the City Strategy Committee accepted the recommendations of the review and agreed that Officers should implement these changes and report back on their impact in two years' time.
15. The key changes made in 2019 were:
  - Moving to a partnership model and shifting the focus of the scheme from working with individuals, to working with community organisations and agencies already supporting hard to reach/marginalised communities
  - Extending eligibility to anyone who is a client of a Leisure Card Partner organisation
  - Allowing partner organisations to issue Leisure Cards directly to their clients
  - Extending eligibility to anyone living in social housing including Kainga Ora and other Community Housing Provider tenants. Prior to this only Wellington City Housing Tenants could join the scheme.
  - Increasing the validation period of all Leisure cards to two years
  - Improving the application and renewal process to make it easier to join the scheme
  - Improving knowledge and understanding of the scheme amongst eligible communities including creating a quarterly Leisure Card eNewsletter.
  - Expanding the scheme to other organisations including Wellington Zoo, Zealandia, the Wellington Cable Car and Museums Wellington and encouraging them to offer Leisure Card discounts
  - Removing the Residents Visa eligibility category as a result of survey findings which showed that 84% of people in this group would continue visiting WCC facilities even if they were not a Leisure Card Member
  - Introducing a 20% student discount outside of the scheme, recognising that while students are eligible for a Leisure Card if they hold a Community Services Card, few chose to do this due to the high administrative barrier.
16. The review also recommended removing the Super Gold eligibility category and providing a 20% Super Gold Card discount outside of the scheme. This was based on survey findings which showed that 75% of Leisure Card members in the Super Gold category would continue visiting WCC facilities even if they were not a Leisure Card member. Officers recommended grand-parenting existing members in this category after two years, however the City Strategy Committee asked that this was deferred until this review was complete. This is discussed further below.

17. Officers have assessed the impact of the changes to the scheme which are detailed in this report. This involved:
- Analysing data from WCC's Bookings and Membership System
  - Conducting an online survey of Leisure Card members which received 860 responses
  - Seeking feedback from Leisure Card members and partners via phone interviews.

## Kōrerorero

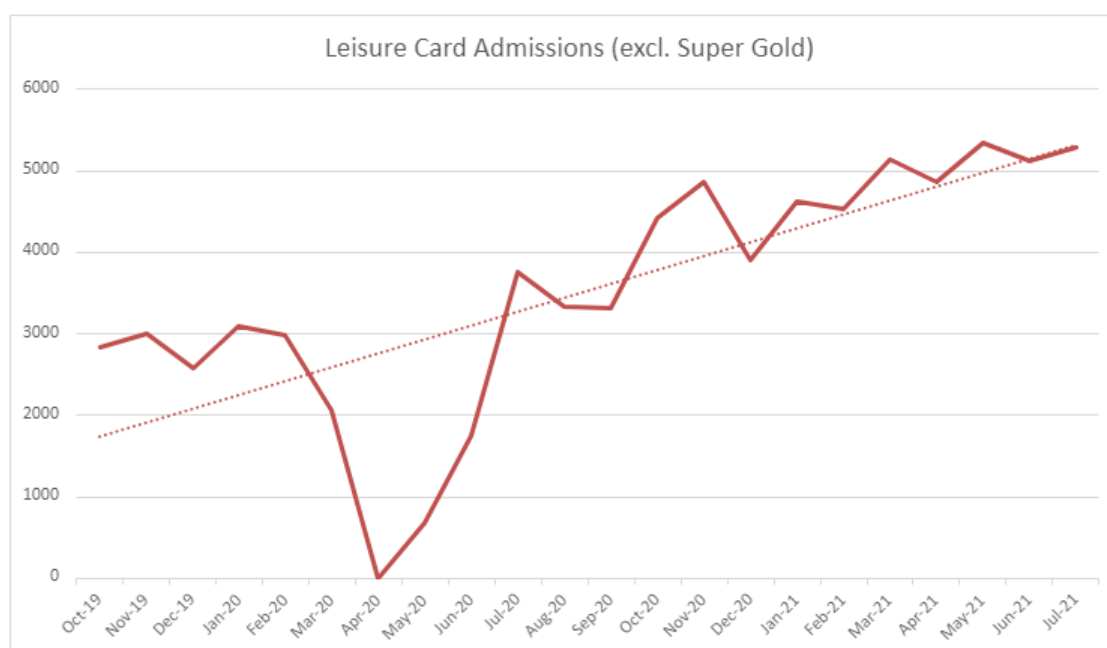
### Discussion

18. Over the last two years the number of Leisure Card Members has increased by 1974 or 103%. There are currently 3890 active Leisure Card members excluding Super Gold Card members. Data is only available from October 2019 when Council moved to a new bookings and membership system and began tracking against the new Leisure Card eligibility categories.



Eligibility Category	Active Leisure Cards October 2019	Active Leisure Cards June 2021	% Change
City Housing Tenants	67	129	93%
Kainga Ora Tenants	2	14	NEW
Other Community Housing Provider Tenants	2	42	NEW
Community Services Card Holders	1231	2111	71%
Green Prescription Clients	217	709	227%
Settlement Agency Clients	0	25	NEW
Other Leisure Card Partner Clients	4	243	NEW
People with a Permanent Disability	393	617	57%
<b>Total</b>	<b>1916</b>	<b>3890</b>	<b>103%</b>

19. Except for people with a permanent disability and Green Prescription clients, a Leisure Card membership extends to anyone living with primary card holder, for example children and dependants. This means that the number of people benefiting from the scheme is greater than the number of active Leisure Cards.
20. Leisure Card usage has also increased with Leisure Cards used in WCC Facilities on average 4500 times per month. This is despite the significant disruption created by Covid 19 lockdowns and restrictions during this period. While this is a positive result and it is encouraging to see the growth in both uptake and usage of the Leisure Card, on average, only 19% of active Leisure Cards are used each month meaning there is significant room for growth in usage.



#### *Leisure Card Partners*

21. The 2018/2019 review showed that for many of Wellington's most vulnerable and marginalised communities, recreation is a low priority and cost is only one of many barriers to accessing opportunities. The review recommended that Council partner with organisations and agencies already providing support to these communities and work with them to address the range of barriers their clients face, including cost.
22. Further, the review identified that applying for a Leisure Card was a major barrier for many eligible communities and, for some people, there was stigma associated with asking for a Leisure Card. To address this Leisure Card partners were given the ability to issue cards to their clients directly without the need to complete an application form or contact Council to make an application.
23. There are currently 30 Leisure Card partner organisations. This includes organisations supporting people in every Leisure Card eligibility category including people who live in low income/high deprivation households, former refugees, social housing tenants, people living with a mental illness and disabled people. The number of partners has steadily grown over the past 2 years. Current partners are:

- Atareira Mental Health & Addiction Support for Family Whānau, Transitional Housing
- Birthright Wellington
- Blind Low Vision New Zealand
- Challenge2000
- ChangeMakers Resettlement Forum
- Dsport Incorporated
- Dwell Housing Trust
- EIS (Early Intervention Service) CCDHB
- Halberg Foundation
- He Huarahi Tamariki
- Kahungunu Whānau Services
- Kilbirnie Community Centre
- Kiwi Class
- Ministry of Social Development (MSD)
- Parent to Parent
- Parkinson's New Zealand
- Red Cross
- The Salvation Army – Housing
- Special Olympics New Zealand
- Spectrum Care
- Nuku Ora – Green Prescription programme (GRx)
- Te Ora Hou Wellington East
- The Wellington Women's House
- Tū Ora - Compass Health – Kickstart programme
- Wellington City Council City Housing
- Wellington City Council Community Centres
- Wellington City Mission
- Wellington Homeless Women's Trust
- Younger Onset Dementia Aotearoa Trust (YODAT)
- Youth Service

24. Officers have worked with Leisure Card Partners on a range of programmes and initiatives to support their clients to join the scheme and become active. These have included:
- Women's only Zumba classes for Changemakers clients
  - Women's only swimming lessons for Leisure Card members funded by Z Energy
  - Supporting Spectrum Health Care and D-Sport clients to participate in Round the Bays
  - A guided trip to the zoo for Changemakers and KiwiClass Clients
  - Supporting establishment of the Wellington City Mission Community Sports Bank where Leisure Card members can access free clothing and equipment. Recipients have included the Ethiopian Community Football team who accessed uniforms, boots and shin pads, City Housing Tenants and the Wellington Homeless Women's trust clients who accessed togs and towels
  - Working with Wellington City Mission and Tū Ora Compass Health to secure grant funding for them to purchase single swim passes and short-term gym memberships for their clients

- Working with the Ministry of Social Development to develop a programme which enables young people who are not in employment or education to participate in a range of cultural and recreation activities at WCC recreation centres
  - Connecting Community Garden volunteers with Leisure Card members interested in gardening
  - Working with the Mountains to Sea Trust to support Leisure Card members to take part in Community Snorkel sessions
  - Providing Leisure Card partners opportunities for their clients to attend Royal New Zealand Ballet shows.
25. Feedback from Leisure Card Partners has been positive, and Officers have developed strong relationships with partner organisations. In July 2020 Officers hosted a Leisure Card partners hui which was attended by 25 partners and provided an opportunity for partners to connect with each other and discuss common challenges and opportunities. Another Hui is planned for early 2022 and this will become an annual event.
26. Partners have provided the following feedback on the changes to the scheme:
- Reduction in administration makes it much easier for clients to join the scheme
  - Issuing Leisure Cards directly eliminates the stigma that came with individuals having to go into a WCC facility and prove their eligibility
  - Partner organisations can provide wrap-around support including having support workers accompany clients to and around facilities
  - Increase in opportunities that specifically support Leisure Card clients is great.

#### *Leisure Card Members*

27. In August 2021 Officers surveyed Leisure Card members (860 responses) and interviewed 31 Leisure Card clients from different eligibility groups.
28. Overall feedback was very positive, with improvements to the sign-up process highlighted as a significant positive change. In 2018/2019 members had cited the sign-up process and a significant barrier to joining the scheme.
29. Leisure Card members reported that physical activity was important to them and 55% of respondents said that they had used their Leisure Card to access WCC facilities in the last six months.
30. Respondents reported that they mostly used their Leisure Card at swimming pools (69%) with a smaller number of members using their card to join Club Active (19%), attend casual gym classes (10%), access recreation centres (10%), participate in swimming lessons (6%) or sign their children up to swimming lessons (6%). 10% of respondents reported they had used their card to visit Wellington Zoo and 9% of visit Zealandia. 20% of respondents reported they had used their Leisure Card to access Library services.
31. Respondents rated their experience of WCC facilities and services highly. This was also a significant improvement on feedback received from Leisure Card members in 2018/2019.
- a. Swimming pools – 91% rated good or very good
  - b. Club Active – 81% rated good or very good
  - c. SwimWell – 76% rated good or very
32. Historically the Leisure Card has been promoted as a swimming pool discount card and results showed that there remains low awareness around the full range of discounts available through the scheme. This highlights the importance of continuing to work with



partners, and via WCC channels, to promote the full range of programmes and services offering Leisure Card discounts to increase usage.

33. When asked what other type of programmes and services respondents would be interested in accessing through the scheme the most frequent responses were yoga & Pilates classes, bike hire, mini golf, kayaking, rock climbing, martial arts and sports clubs (tennis, football, rugby, cricket). There is an opportunity to work with other providers, including private providers and sports clubs, to encourage them to offer Leisure Card discounts.
34. Respondents also said they would like more targeted programming for members with a focus on women's only classes and opportunities for disabled children and adults. Again, this highlights the importance of continuing to develop programmes and services which respond specifically to Leisure Card client's needs.

#### *Super Gold Card Holders*

35. The 2018/2019 review found that 75% of Super Gold Leisure Card members would still visit WCC facilities without a Leisure Card. As a result, the City Strategy Committee agreed to remove the Super Gold Card category from the scheme and replace it with a standard 20% Super Gold Card discount on causal entry to pools and recreation centres and swim memberships.
36. Because Super Gold Leisure Cards do not have an expiry date 6,469 Super Gold Leisure Card members remain in Council's booking and membership system, however, on average, only 13% of these Cards are used each month. As per the City Strategy Committee resolution no existing Super Gold Leisure Card Holders have been removed from the scheme pending the outcomes of this review.
37. While the number of Super Gold Leisure Cards being used is low, the small number of remaining Super Gold Leisure Card members continue to be frequent visitors to WCC facilities. Keeping physically active is important for older adults and it is recommended that existing Super Gold Leisure Card members are permitted to remain in the scheme and enjoy their lifelong membership.
38. Super Gold Leisure Cards that have not been used for two years or more will be deactivated and removed from Council's bookings and membership system. Existing Super Gold Leisure Card members who wish to reactivate their membership after two years of inactivity, will be permitted to do so by applying for a replacement card.

#### **Ngā mahinga e whai ake nei**

##### **Next actions**

39. Officers will continue to work growth the number of partners in the scheme and will work with current Leisure Card Partners and Members with a focus on:
- Increasing awareness and uptake of the Leisure Card scheme
  - Increasing the range of discounts available through the scheme
  - Increasing the range of programmes and events targeting Leisure Card members
  - Connecting Leisure Card Partners via an Annual Hui

##### **Attachments**

Nil

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## **EASEMENT FOR TELECOMMUNICATION PURPOSES OVER COUNCIL RESERVE - CARTER PARK AND CENTENNIAL RESERVE, MAUPUIA**

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### **Kōrero taunaki**

### **Summary of considerations**

#### **Purpose**

1. This report to the Pūroro Rangaranga - Social, Cultural and Economic Committee asks the Committee to agree to grant a telecommunications easement 'in gross' to Chorus New Zealand Limited (Chorus) over Areas A and B on DP 85452 (Easement Areas) being parts of Council scenic reserve land at Carter Park and Centennial Reserve in Maupuia. (Refer to the areas shown attachments 2-5).

#### **Strategic alignment with community wellbeing outcomes and priority areas**

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy

#### **Strategic alignment with priority objective areas from Long-term Plan 2021–2031**

- ☐ Functioning, resilient and reliable three waters infrastructure
- ☒ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### **Relevant Previous decisions**

An easement in this same area in favour of Telecom New Zealand Limited was previously approved at the 1 August 2003 meeting of Council's District Plan and Reserves Management Subcommittee.

#### **Significance**

The decision is rated low significance in accordance with schedule 1 of the Council's Significance and Engagement Policy.

- Affects a limited number of individuals to a low degree.
- Has very little public interest.
- Low consequence for Wellington City
- Low impact on the Council being able to perform its role.

#### **Financial considerations**

☒ Nil

☐ Budgetary provision in Annual Plan /  
Long-term Plan

☐ Unbudgeted \$X

2. Chorus have agreed to cover all costs related to this easement, including all of Council's fair and reasonable legal fees and officer time.

**Risk**

| ☒ Low | ☐ Medium | ☐ High | ☐ Extreme

Authors	Sarah-Jane Still, Property Advisor Kate Brown, Reserves Planner
Authoriser	John Vriens, Acting Property Services Manager Bec Ramsay, Open Space & Recreation Planning Manager Paul Andrews, Manager Parks, Sports & Rec James Roberts, Chief Operations Officer (Acting)

**Taunakitanga**

**Officers' Recommendations**

Officers recommend the following motion

That Pūroro Rangaranga - Social, Cultural and Economic Committee:

1. Receive the information.
2. Agree to grant a telecommunications easement 'in gross', pursuant to Section 48 of the Reserves Act 1977, to Chorus New Zealand Limited over:
  - a. Council owned scenic reserve land at Carter Park being Part Section 20 Watts Peninsula District and held on ROT 601426 and shown as Area A on DP 85452.
  - b. Council owned scenic reserve land at Centennial Reserve being Section 95 Watts Peninsula District and held on ROT WN23B/720 and shown as Area B on DP 85452.
3. Instruct officers to finalise the terms and conditions of the easement which will be broadly similar to the terms and conditions in the existing easement to Telecom.
4. Delegate to the Chief Executive the power to carry out all steps to affect the easement.
5. Note that under the Instrument of Delegation for Territorial Authorities dated 12 July 2013, the Minister of Conservation has delegated the authority to grant easements over reserve land under s48 of the Reserves Act 1977 to Council. According to Council delegations, the power to grant easements under the Reserves Act 1977 rests with the Social, Cultural and Economic Committee.
6. Note that approval to grant this easement will be conditional on:
  - a. The applicant being responsible for all costs associated with the creation of the easement, including any of Council's fair and reasonable costs
  - b. The requirement for public notice under Section 48(2) of the Reserves Act 1977 being waived as the reserves are not likely to be materially altered or permanently damaged and the rights of the public are not likely to be permanently affected by the granting of this easement.

**Whakarāpopoto**

**Executive Summary**

3. In 2003 Council's District Plan and Reserves Management Subcommittee granted a retrospective telecommunications easement to Telecom New Zealand Limited (Telecom) over Council scenic reserve land at Carter Park and Centennial Reserve (the Easement Areas).

4. Following the demerger of Telecom (now Spark New Zealand Limited (Spark)) and Chorus New Zealand Limited (Chorus) (together, the Parties) in 2011, Chorus was given legal ownership of the Satellite Station Site at the top of Mt Crawford (the Site). Refer to Attachment 2 for the Site marked in blue.
5. The Parties have recently concluded that Spark should be the legal owner of the Site, and Chorus is currently in the process of transferring legal ownership to Spark.
6. As a result, Chorus will lose its beneficial interest in the existing easement and will need a new easement 'in gross' over the Easement Areas to have continued legal access to operate and maintain their telecommunication cables and network. Refer to attachments 2-5 showing the Easement Areas as A and B and marked in green on Attachments 2 and 3.
7. The cables are pre-existing and sit in the Easement Areas beneath the formed carriageway that runs through the reserve land at Carter Park and Centennial Reserve. There are no material changes proposed to the Easement Areas or the reserves.
8. Chorus has agreed to cover all of Council's costs relating to the preparation and registration of the new easement.

## **Takenga mai**

### **Background**

9. Telecom laid telecommunication cables in the Easement Areas in 1984 under the Post Office Act 1959 which was then superseded by the Telecommunications Act 1987 and 2001.
10. The Telecommunications Act 2001 gave protections to existing assets, however, Telecom wished to formalise the existing work by way of easement.
11. In 2003 the District Plan and Reserves Management Subcommittee granted a retrospective telecommunications easement in favour of Telecom over Carter Park and Centennial Reserve. Refer to Attachment 1 for an extract of the minutes of the 1 August 2003 meeting.

## **Kōrerorero**

### **Discussion**

12. Following the demerger of Telecom (now Spark) and Chorus in 2011, Chorus was given legal ownership of the Satellite Station Site at the top of Mt Crawford (the Site). It has been recently determined that instead, Spark should be the legal owner of the Site. Chorus are currently undertaking work to transfer the ownership.
13. Chorus will lose their beneficial interest in the Easement Areas because of this ownership transfer and will no longer have the legal access to operate and maintain their assets in the Easement Areas. This proposed easement will ensure that Chorus has continued legal access to their telecommunication cables.
14. As the cables were laid in 1984 under the Post Office Act 1959, the original easement in 2003 was for nil consideration in lieu of Telecom paying all associated costs. The same arrangement is proposed today as the proposed easement is an administrative requirement only due to the demerger between Telecom (now Spark) and Chorus, and the subsequent change in ownership of the Site.



- 
15. There are no physical works planned in relation to the new easement, no new surveying will need to take place, and the reserve land will remain in its current state. Therefore, the public notice requirements pursuant to Section 48(2) of the Reserves Act 1977 are recommended to be waived. The reserves will not be materially altered, and the rights of the public are not going to be affected as a result of granting this easement.

## **Kōwhiringa**

### **Options**

16. As the telecommunication cables are an existing asset, the most sensible and low impact option is to agree to the recommendations contained in this report, this is the preferred option.

## **Whai whakaaro ki ngā whakataunga**

### **Considerations for decision-making**

#### **Alignment with Council's strategies and policies**

17. The Reserves Act 1977 and the Suburban Reserves Management Plan both allow for utilities easements over reserve land.

#### **Engagement and Consultation**

18. Public notice requirements in accordance with Section 48(2) of the Reserves Act 1977 should be waived as the reserves will not be materially altered or permanently damaged, and the rights of the public in respect of the reserves will not to be permanently affected.

#### **Implications for Māori**

19. No engagement with mana whenua is deemed necessary.

#### **Financial implications**

20. There are no financial implications to Council. The processing costs for the preparation and registering of the easement will be met by the applicant. These processing costs include officer time and the Council's fair and reasonable legal fees.

#### **Legal considerations**

21. Council's in-house Legal Team will review the easement documents and register the easement for Council.
22. The easement will comply with the requirements of the Reserves Act 1977.

#### **Risks and mitigations**

23. The proposal is desirable to ensure clarity and certainty for both parties on the ongoing management and operation of Chorus' regional telecommunications network across Council's land.
24. As there is no proposed works and the Easement Area is already existing the overall risk to Council is rated as low on the risk framework.

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### **Disability and accessibility impact**

25. There are no known disability and accessibility impacts related to this proposal.

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

26. There are no known Climate Change implications related to this proposal.

### **Communications Plan**

27. No communications plan is required as no physical works will be taking place.

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











28. There are no known Health and Safety implications as no physical works will be taking place.

### **Ngā mahinga e whai ake nei**

### **Next actions**

29. If the recommendations are approved by the Social, Cultural, and Economic Committee then officers will inform Chorus and commence the process to finalise and register the easement.

### **Attachments**

Attachment 1.	Extract of District Plan and Reserves Management Subcommittee Minutes 1 Aug 2003  	Page 84
Attachment 2.	Chorus Plan of Easement Area  	Page 85
Attachment 3.	Aerial Plan of Easement Areas  	Page 87
Attachment 4.	Area A over DP 85452  	Page 88
Attachment 5.	Area B on DP 85452  	Page 89

Wellington City Council  
Te Kaunihera ō Pōneke

EXTRACT OF MINUTES  
DISTRICT PLAN AND RESERVES MANAGEMENT SUBCOMMITTEE  
MEETING OF FRIDAY 1 AUGUST 2003

024/03BP EASEMENT FOR TELECOMMUNICATION PURPOSES AT  
AKAROA DRIVE

Report of Sarah Taverner – Reserves Project Adviser.  
(1215/44/03/IM)

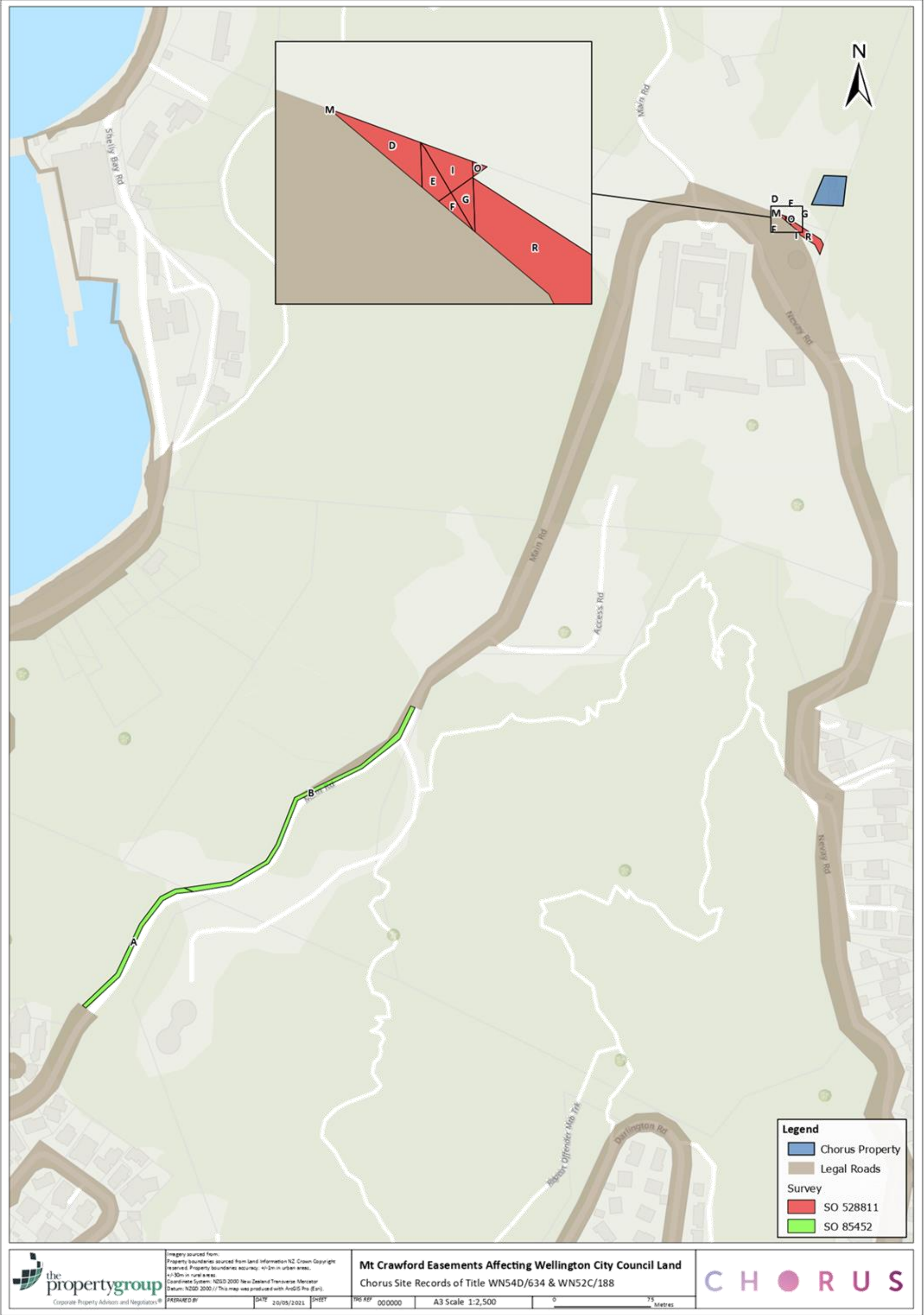
(REPORT 3)

**RESOLVED:**

*THAT the District Plan and Reserves Management Subcommittee:*

1. *Receive the information.*
2. *Agree to the granting of an easement for Telecommunication purposes, pursuant to Section 48 of the Reserves Act 1977, in favour of Telecom over:*
  - (a) *Council owned reserve land described as Section 95 Watts Peninsula District, which is gazetted as Scenic Reserve, NZ Gazette 1989/4483, CT 23B/720 and*
  - (b) *Council owned land described as Part Section 20 Watts Peninsula District, CT 52B/986.*
3. *Note that approval to grant this easement will be conditional on;*
  - (a) *the consent of the Minister of Conservation being obtained in accordance with section 121 of the Reserves Act 1977.*
  - (b) *The applicant being responsible for all costs associated with the creation of the easement, including survey, registration fees, and Department of Conservation fees.*
  - (c) *The applicant being responsible for all Council's legal costs incurred in this matter in lieu of a "consideration" for the easement.*
  - (d) *The requirement for public advertising under Section 48(2) of the Reserves Act 1977 be waived as the reserve is not likely to be materially altered or permanently damaged and the rights of the public are not likely to be permanently affected by the granting of the easement.*

FILE







## Map of Easement Areas



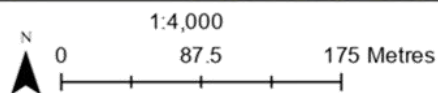
October 20, 2021

**Disclaimer:**  
The use of any land or property information in OneMap is entirely at the user's own risk and discretion. Wellington City Council does not give any warranty that any information contained is accurate or complete. The Council does not accept any responsibility or liability for any action taken, or omission made, in reliance on information obtained from OneMap.

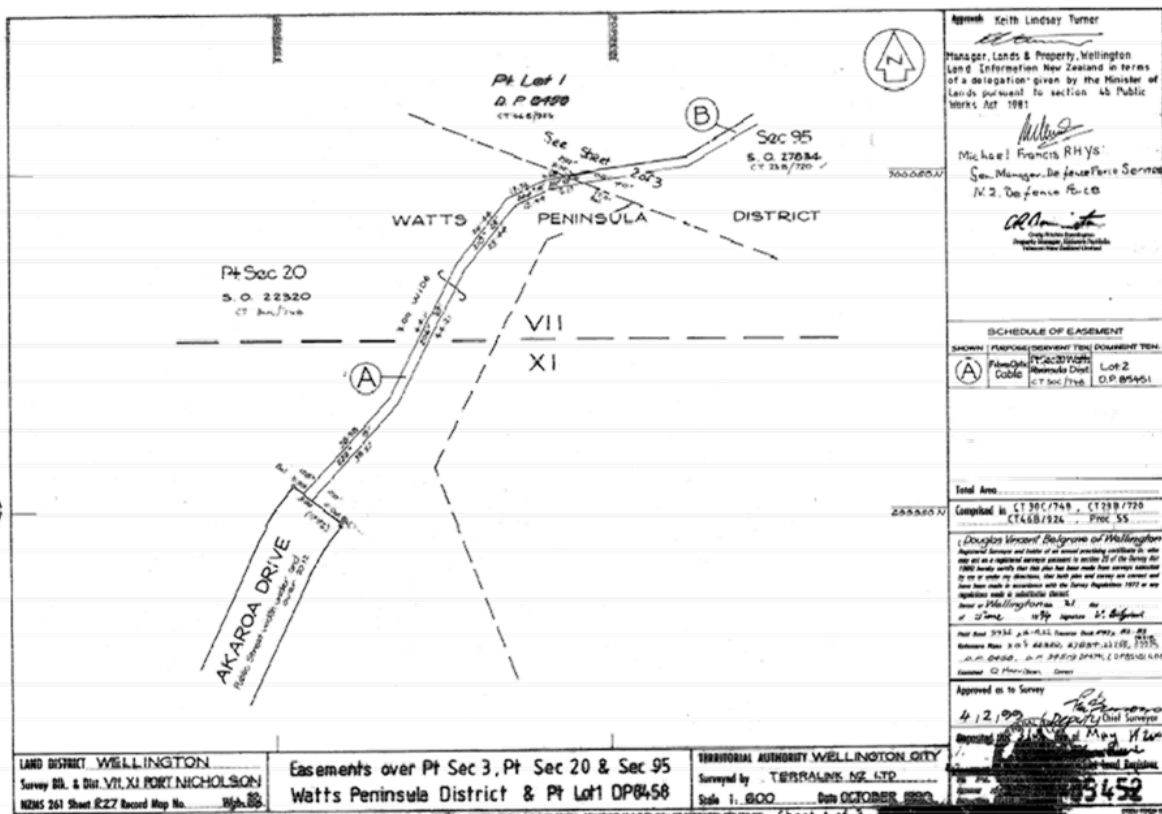
**Data Statement:**  
Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m. Crown Copyright reserved.

**Property Boundaries Accuracy:**  
+/-1m in urban areas  
+/-30m in rural areas

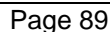
**Data Source:**  
Census data - Statistics NZ.  
Postcodes - NZ Post.



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









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## **TRAILS WELLINGTON NEW TRACK PROPOSAL FOR MATAIRANGI/MOUNT VICTORIA**

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### **Kōrero taunaki**

### **Summary of considerations**

#### **Purpose**

1. This report asks Pūroro Rangaranga | Social, Cultural and Economic Committee to agree to publicly consult on a proposal for a new mountain biking track in Matakairangi/Mt Victoria, put forward by Trails Wellington.

#### **Strategic alignment with community wellbeing outcomes and priority areas**

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☒ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☒ Dynamic and sustainable economy
- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### **Strategic alignment with priority objective areas from Long-term Plan 2021–2031**

#### **Relevant Previous decisions**

The 2016 Open Space Access Plan included an action for the Mt Victoria/Matakairangi area: Develop more single use track and endeavour to separate walkers and bikers in some areas – where appropriate. This track relates to this previous decision.

#### **Significance**

The decision is rated low-medium significance in accordance with schedule 1 of the Council's Significance and Engagement Policy.

The decision is likely to generate some local community interest where there will be likely some difference in opinions between reserve user groups, particularly as it is in the Town Belt and a significant reserve area.

#### **Financial considerations**

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Nil | <input type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|---|--|---|

2. The project capital expenditure will be funded entirely by Trails Wellington, with some project management oversight by council officers. Trails Wellington will support future operations costs by maintaining the track surface and vegetation to an agreed standard and methodology. The track will be recorded in our system as community maintained.

Any structures along the track like bridges, fences and handrails will become WCC assets that will have a minor long term financial implication.

**Risk**

| ☒ Low | ☐ Medium | ☐ High | ☐ Extreme

3. Overall, the proposal is rated as low risk on the Council's Risk Framework.

Author	Ella Hardy, Recreation and Parks Planner
Authoriser	Bec Ramsay, Open Space & Recreation Planning Manager Paul Andrews, Manager Parks, Sports & Rec James Roberts, Chief Operations Officer (Acting)

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## **Taunakitanga**

### **Officers' Recommendations**

Officers recommend that Pūroro Rangaranga - Social, Cultural and Economic:

1. Receive the information
2. Agree that Council publicly consult on the proposal to build a new mountain bike track in Matairangi/ Mount Victoria (outlined in Attachment 1).
3. Agree that hearings will be held on the track proposal if this is requested by submitters
4. Agree that officers will return to the committee to report back on submissions and with recommendations on the track proposal.

## **Whakarāpopoto**

### **Executive Summary**

4. This report asks the Pūroro Rangaranga | Social, Cultural and Economic Committee to agree to consult on a new mountain biking track proposal put forward by Trails Wellington, in Matairangi/Mt Victoria.
5. Trails Wellington, a dedicated trail building, and advocacy community organisation are proposing to fund the construction of a new mountain bike priority track in Matairangi/Mt Victoria.
6. The track would be an intermediate level trail that would provide for approximately 2km continuous decent from the Matairangi peak to the Mount Victoria Skills Area beside Badminton Hall in Hataitai (refer Attachment 1). Trails Wellington propose this trail would be a destination trail to put Wellington riding on the map and support growing mountain bike activity and tourism for Wellington.
7. The Open Space Access Plan (2016) lays out criteria that must be considered when investigating the suitability of a new track. Officers assessed the proposal against the criteria and found that the proposal is suitable.
8. The track proposal is in the Wellington Town Belt. Council officers have assessed the proposal against the assessment outlined in the Wellington Town Belt Management Plan (WTBMP) and found that the impact of the track construction and the use of the would be acceptable.
9. The process outlined in the WTBMP for determining appropriate activities in the Town Belt stipulates that Council officers should prepare a report for Council Committee seeking to consult the public. Following public consultation, a further paper will be prepared with officer recommendations on approval of the proposed track.

## **Takenga mai**

### **Background**

#### Trails Wellington Track Proposal

10. Trails Wellington is a community organisation that helps fund trail development and trail improvement across the city. They work in partnership with other mountain biking clubs in Wellington, aiming to bring together a strong voice for mountain bikers, representing both the Makara Peak Supporters, the Wellington Mountain Bike Club and Brooklyn Trail Builders.

11. If this trail is approved, Trails Wellington will fund the construction of the trail. Council officers will help manage the project by making sure the plan and design is followed, and ensuring the contractor is health and safety compliant. As it is in a public reserve, the track will be a Council asset, however Trails Wellington will undertake much of the ongoing maintenance of the track to an agreed standard methodology with Council.
12. The proposed Mt Victoria/Matairangi track would be a Grade 3 (intermediate level), mountain bike priority track. It would provide for approximately 2km continuous decent from the Matairangi peak to the Mount Victoria Skills Area in Hataitai. Grade 3 trail, intermediate level specifications are detailed in Attachment 5.
13. There is a wide network of existing tracks in Matairangi (Attachment 2), however Trails Wellington have identified that many of these tracks are either too challenging for most users, and/or they are shared with other users (eg. Southern Walkway), which causes safety issues and conflict amongst users. This proposed new track will be able to direct the majority of 'downhill' bike traffic to this track, helping to reduce trail conflict between different users and improve safety issues in the wider track network.
14. Trails Wellington describe the proposed Matairangi trail as 'the central, critical project of their vision for Wellington to be a world class mountain biking destination'. They describe the project as 'a 'jewel' in the crown of the mountain biking area that is Mount Victoria/Matairangi'. The track would allow access to views of the harbour and city within five minutes of the City Centre. Trails Wellington suggest this trail would be a destination trail to support growing mountain bike tourism and would be accessible to a wide range of users, including less experienced riders and families.

Open Space Access Plan and Wellington Town Belt Management Plan (WTBMP)

15. The track proposal has been assessed against both the Open Space Access Plan's suitability requirements for developing a new track, and the WTBMP's assessment of application to use the Wellington Town Belt. The track proposal fits inside Sector 8 - Hataitai Park of the Wellington Town Belt.
16. Section 9.3 of the WTBMP stipulates: earthworks for the construction or maintenance of walking or cycling tracks where the track surface does not exceed 1.5 metres wide and the work is carried out by or with the permission of the Council is an allowed activity but may be subject to conditions.
17. The WTBMP outlines an assessment and approvals process that requires Council officers to prepare a report seeking permission to notify the public (as this report is doing). Officers will then compile this feedback and create a final report for Council committee approval.
18. This specific track proposal is not a previous action of the Open Space Access Plan 2016 (nor the Mount Victoria/Matairangi Masterplan 2015, as the scope did not include this area on the eastern side of Mount Victoria). However, there is an action for Mt Victoria/Matairangi area to: Develop more single use track and endeavour to separate walkers and bikers in some areas – where appropriate.
19. This is a community lead initiative and does not considerably impact on the Council work program to roll out other actions and priorities in the Open Space Access Plan. It is also useful to note that out of the 29 actions for the Mt Victoria/Matairangi Reserve, 22 are either completed, are ongoing or underway. This newly proposed track does not preclude any other planned tracks for the area.



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## **Kōrerorero**

### **Discussion**

#### Environmental and Landscape Impact:

20. Council's Biodiversity Specialist has assessed the track alignment (Attachment 3). This assessment indicates the impact on vegetation is acceptable if conditions are met. The assessment found:
  - a. The area is not an acutely threatened ecosystem, nor a significant natural area. The site includes indigenous regenerating forest, mostly mahoe canopy, other sections have a pine/macropcarpa/exotic tree canopy at various ages.
  - b. Conditions can be placed so that the alignment in the upper section of the track will avoid damage to the tall emergent pines, especially the root systems. Section 8.8.3.3 WTBM specifically identifies the retention of the mature conifers on the skyline.
  - c. Care can also be taken where the diversified mixed forest behind the sports hub area of Hataitai Park to protect the existing tall conifers and gum trees.
  - d. Selective alignment of the track through bush restoration areas can ensure only a few plants are removed.
  - e. Where there are riparian stream heads, ephemeral streams and seepages, conditions can require bridges or raised boardwalk areas to preserve the streams.
  - f. If the track goes ahead, careful planting along the track will help mitigate landscape and environmental effects.
21. A track construction consultant (Framework Group Limited) has supplied an earthwork cut batter assessment (refer to Attachment 4). It shows most areas have an earthwork batter height of less than 1.2m except for the area by the Velodrome. This area already has been significantly disturbed by previous earthworks in developing the Velodrome and the bench the track would use already exists. Also, the track proposed will be no wider than 1.5m. This indicates that soil disturbance and earthworks impacts are minor.
22. Additionally, the visual impact will be minor as most of the track will be hidden underneath the tall tree canopy and the earthworks are limited. Where it is not, planting slopes where possible can ensure the mitigation of any visual and landscape impacts.
23. In summary, the environmental and landscape impact will be minor.

#### User Group Conflict and Public Safety

24. This track is planned as a mountain bike priority track, which means mountain bikers do not have to give way to people on foot. The Open Space Access Plan states that the Council are generally supportive of the provision of such facilities, provided there is a low user demand on the track and/or area by other open space users. In this case, this is assessed as an acceptable approach for this area as demand for walking tracks are met with the Southern Walkway and a range of other secondary and tertiary tracks in the Mount Victoria/ Matairangi Area.
25. This proposal redirects mountain bikers off the other shared use tracks in the area such as the Southern Walkway. Therefore, it has potential to improve public safety and user group conflict. Where there are five crossing points with existing walking trails in the lower part of the track, the track design can help mitigate potential risk by defining crossing points with fences and warning signs, for both walkers and riders. Walkers will continue to get right of way.

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The Wellington Town Belt Management Plan (WTBMP)

26. The proposal was assessed against the WTBMP assessment criteria follows:
- a. Mountain biking is a public recreation purpose. Mountain biking offers a ready means for healthy outdoor activity, offering 'green' transport for everyday and leisure purposes, opportunities for community participation and provides sustainable ways to access and experience natural areas.
  - b. There is ongoing demand for mountain biking. As of 2019, SportNZ found 12% of Wellingtonians are interested in mountain biking and 8% participated in the last year. The gap between participation and interest may indicate that a barrier to participation may be lack of quality beginner-intermediate level tracks. Looking broader than Wellington, mountain biking has growth potential from the tourism sector, once borders reopen. Also, anecdotal data coming out of lock downs indicate the sport is growing.
  - c. There is a current network of tracks in this area. However, many of the tracks in Mt Victoria/ Matairangi are Grade 5, meaning they are hard, technical areas for experienced bikers. This proposal for a modern progressive flow trail will be suitable for intermediate users and higher grade users, with options for their skill level on the track.
  - d. There is no commercial activity proposed as part of this proposal.
  - e. The track network is not intended as a multi-use track. As discussed above this will help with issues of user conflict.
  - f. There are a number of identified user benefits for the community and region that this project will support. The track could provide opportunities to increase use and enjoyment of the Wellington Town Belt, and provide new opportunities for intermediate level bikers.
  - g. The proposal has potential to positively impact current activities by helping to reroute mountain bikers off shared use tracks. However, in terms of the impact on the surrounding environment and enjoyment of the park, this should be assessed further, after hearing from submissions through public consultation. Submissions will help us understand public use of this area and appetite for new tracks developed in this area of the Wellington Town Belt.
  - h. The new track could be suited to shuttling, which already occurs in this area and means there would likely be more traffic around the beginning of the trail, by the toilet carpark. However, this is still unlikely to cause much of an impact on traffic over time.
  - i. The proposal's potential cumulative effects are assessed as acceptable with earthworks being minimal, as described in the previous section, and these are no identified needs for further park-use amenities associated with the proposal.
  - j. The proposal is considered consistent with the WTBMP principle of supporting a healthy indigenous ecosystem. Impacts on the environment are minimal and can be mitigated by planting restoration work and protecting streams.
  - k. The proposal is considered consistent with landscape objectives and policies and the landscape principle in the WTBMP. The landscape and character of the Wellington Town Belt will not be significantly impacted by this track proposal. The visual impacts are likely minimal as the track width will be kept to a maximum 1.5m width, with minimal earthworks.
  - l. This proposal is consistent with the principle that the Town Belt should be accessible for all. It will allow improved access for intermediate cyclists to the bush. The management plan has a policy to develop additional beginner-level/family friendly biking trips.
  - m. The proposal is consistent with the principle that the Wellington Town Belt should be available for a wide range of recreation activities.

- n. This proposal is consistent with the principle that community participation in the management of the Wellington Town Belt should be encouraged. A trails group have identified a need for this proposal and developed a plan to construct and manage it in a way that it does not impact the values of this part of the Wellington Town Belt.
- o. The proposal will not have an impact on the historic and cultural heritage of the Wellington Town Belt being an extension of an established use. The area at the top of Mount Victoria/Matairangi is an important historic site and the whole reserve is significant to mana whenua. Comment will be sought from mana whenua as a partner in managing the Wellington Town Belt.
- p. The proposal is consistent with WTBMP Sector 8 as it will ensure the conifers on the skyline are protected.
- q. This proposal is consistent with rules for use and development policies 9.3 which allows earthworks for the construction or maintenance of walking or cycling tracks where the track surface does not exceed 1.5 metres wide and the work is carried out by or with the permission of the Council, subject to conditions.
- r. Trails Wellington, the group making the application, are a voluntary organisation who have a growing number of members, membership fees and corporate sponsorships. They have 2300 registered members, of which 56% are paid members. Their goal is to grow to 5000 paid members over the next year. They are assessed as a sustainable, reliable organisation.
- s. There are no resource consent issues as the trail will be under 1.5m wide.

## **Kōwhiringa**

### **Options**

- 27. Option One: Publically consult on the proposal and report back with final recommendations to Council.
- 28. Option Two: Decide to not take the proposal any further.
- 29. Council officers recommend that Option One is supported, that the proposal is progressed to the next step, and that it is consulted on. Officers are satisfied that the environmental and landscape impact from the new track is acceptable and manageable. Officers are satisfied that the activity is consistent with the purpose of the Wellington Town Belt as a public recreation area and that the Wellington Town Belt values would be upheld.
- 30. Furthermore, it is a Trails Wellington proposal and they are funding the project. The track itself enables a recreational activity that supports intermediate level mountain biking in the Wellington Town Belt. It has the potential to be a mountain bike attraction that helps provide another opportunity for local residents and city workers to easily access Wellington Town Belt for recreational use.

## **Whai whakaaro ki ngā whakataunga**

### **Considerations for decision-making**

#### **Alignment with Council's strategies and policies**

- 31. This proposal aligns with *Our Capital Spaces* high-level priority that the Wellington region will be recognised as one of New Zealand's premier mountain-biking

destinations. It sets an action for council to proactively develop mountain biking as one of the key attractions for visitors in the Wellington region.

32. The proposal has been assessed in detail against the Open Space Access Plan and the WTBMP in the discussion and background sections of this paper. The proposal helps fulfil the Open Space Access Plan's action for the Mt Victoria/Matairangi area to develop more single use track and endeavour to separate walkers and bikers in some areas – where appropriate, which ultimately, is about strengthening access and providing opportunities for recreation in our reserves. It is also consistent with the plan's point that council will support initiatives and work driven by community groups to improve open space access.
33. The proposal aligns with Trails for the Future, A strategic framework for trails in the Wellington Region 2017 vision for strong mix of trails and experiences around Wellington. This framework identifies that there is significant mountain bike tourism potential for Wellington that could support our economy. It suggests that Wellington could become a nationally significant trails destination if we can offer distinctive and varied experiences This track has the potential to be a distinctive experience and to be a signature trail.

### **Engagement and Consultation**

34. This paper is proposing to publicly consult on the proposal. Proposed consultation will include:
  - a. Further discussion with mana whenua
  - b. Signs on site and a webpage on council's website
  - c. Fliers to nearby residents
  - d. Reaching out to local community groups, interest groups and the residents association.

### **Implications for Māori**

35. Officers have raised this proposal with Ngāti Toa and Taranaki Whānui at our regular mana whenua meetings. Further feedback will be sought from mana whenua on this proposal. This will tie into the consultation process.

### **Financial implications**

36. The project capital expenditure will be funded entirely by Trails Wellington, with some project management oversight by council officers. Trails Wellington will support future operations costs by maintaining the track surface and vegetation to an agreed standard and methodology. The track will be recorded in our system as community maintained. Any structures along the track like bridges, fences and handrails will become WCC assets that will have a minor long term financial implication.

### **Legal considerations**

37. The Wellington Town Belt Act 2016 requires council to have regard to the following principles:
  - a. *the Wellington Town Belt should be managed in partnership with mana whenua*
  - b. *the landscape character of the Wellington Town Belt should be protected and enhanced, including by recognising that it was the New Zealand Company's intention that the original Town Belt not be built on*
  - c. *the Wellington Town Belt should support healthy indigenous ecosystems*
  - d. *the Wellington Town Belt should be accessible to all and for all to enjoy*



- e. *the Wellington Town Belt should be available for a wide range of recreational activities*
- f. *community participation in the management of the Wellington Town Belt should be encouraged and supported.*

38. As described in the discussion section the proposal aligns with these principles.

### **Risks and mitigations**

39. Overall, the proposal is rated as low risk on the Council's Risk Framework.

### **Disability and accessibility impact**

40. There is no significant impact on people with disabilities or accessibility needs.

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

41. There is no impact on climate change.

### **Communications Plan**

42. The proposal is for public consultation as outlined in the engagement and consultation section.

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






43. There are no significant health and safety issues.

### **Ngā mahinga e whai ake nei**

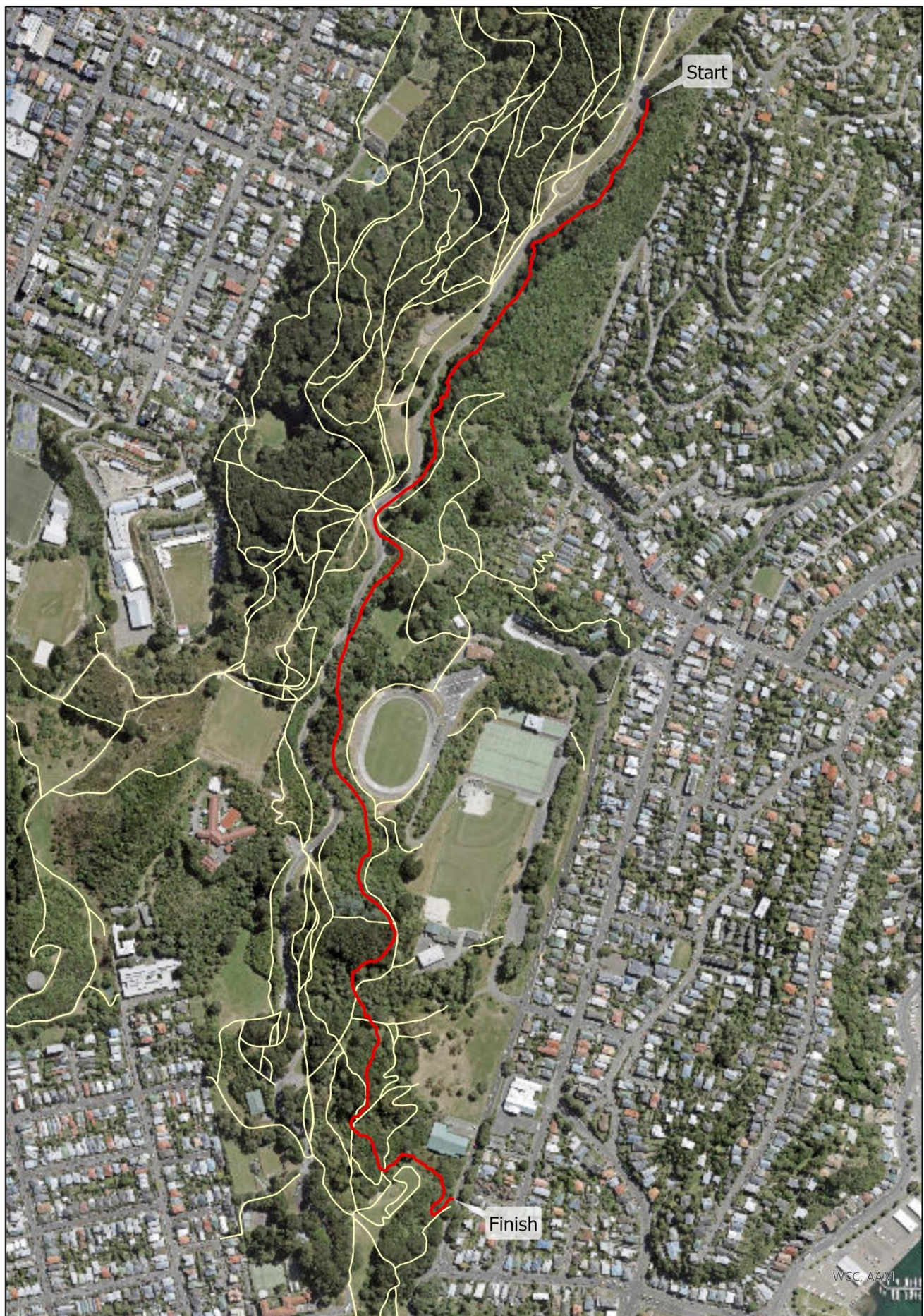
### **Next actions**

44. If the proposal is approved for public consultation, officers will ask for public feedback on the proposal in early 2022.

### **Attachments**

Attachment 1.	New Trail Proposal Alignment <a href="#">↓</a> 	Page 99
Attachment 2.	Matairangi Mount Victoria Trail Network <a href="#">↓</a> 	Page 100
Attachment 3.	Vegetation Assessment for New Track Build <a href="#">↓</a> 	Page 101
Attachment 4.	Shading and Batter Height Plan <a href="#">↓</a> 	Page 107
Attachment 5.	Recreation NZ Mountain Bike Trail Guidelines <a href="#">↓</a> 	Page 115









## **Vegetation Assessment for New Track Build**

**Location:** Mt Victoria, Matairangi

**Date:** 9 August 2021

**Track Name:** Matairangi Flow Trail

**Track Length:** Approx. 2km

**Forest Type:** Mixed vegetation, parts of the site are indigenous regenerating forest, mostly mahoe canopy, other sections have a pine/ macrocarpa/ exotic tree canopy at various ages.

**General site review:** The entire length of the site can be divided roughly into three sections, upper, middle and lower

### Upper Section

The upper section of the proposed downhill trail follows just below Alexandra Rd on the eastern side. The proposed track alignment in the upper section is mostly in exotic forest, staying above the indigenous native forest. The section of forest above Hapua Rd has the most contiguous section of indigenous forest within Matairangi. This section of trail flows through the existing tall conifers which are a dominant feature of the Matairangi skyline; *see comments below in requirements.*



### Middle Section



The middle section follows through a mix of restoration planting, native regenerating forest and exotic canopy with some areas of severe weed pests. The understorey is a mix of weed species dominating the forest floor with some native fern species.

The area above the Hataitai sports hub has a mixed vegetation type and is noted in the Wellington Town Belt Management plan to retain this type of vegetation as a backdrop to the sports area. The largest areas of weed pest infestations occur in this zone.



#### Lower Section

The lower section nearer the children's skill area and Badminton Hall, is mostly in a tall pine and gum canopy with some regenerating native forest in the understorey.

Understorey below gum trees is very sparse, whereas the pine canopy has a number of native shrub species amongst the weeds. The majority of the understorey in this section is weed pests, which do provide some level of cover on the ground for the water seepage areas. There are areas of native understorey with a range of shrub species such as rangiora, coprosma spp, kawakawa and some ferns. This area contains freshwater seepages and ephemeral stream heads. These stream heads are important as native fish species inhabit this area. This area has a restoration project underway in the gully system and contains a number of well established nikau and other native species that have been planted by the community.

This section of the proposed track crosses several existing tracks.



Pest weed species; (main species)

Periwinkle, climbing asparagus, tradescantia, English ivy, Japanese honey suckle Old man's beard, blackberry, Fatsia japonica, holly trees, evergreen buckthorn, viburnum spp., cherry laurel, bay laurel, sycamore, privet, gum trees.

Native species;

There are a few areas with reasonably mature mahoe, ngaio and five finger, forming a canopy in places. Understorey ferns have taken but are not in great abundance due to the extent of the weed species. There are a number of restoration areas with good growth, ranging from 1.5m to 5m in height.

Of note in the lower section are a number of planted areas, in particular nikau have been planted a number of years ago and have reached a reasonable size. One specimen of *Hoheria sextylosa* was also noted. The larger leaved form of *Brachyglottis repanda*, rangiora is also present, this is a reasonably unique Wellington representative type and needs be avoided. The lower area has a number of good silver ferns and some mamaku establishing. There are also numerous Pseudopanax hybrids which could be removed and possibly some karaka.

**Specific requirements;**

Care will need to be taken in the alignment in the upper section to avoid damage to the tall emergent pines, especially the root systems. Section 8.8.3.3, Wellington Town Belt Management Plan, 2018, (WTBMP) specifically identifies the retention of the mature conifers on the skyline

8.8.3.3 Retain conifers on the skyline to emphasise the landform, provide shelter and integrate with vegetation types on the west side.

Tall emergent trees provide an ecosystem habitat for perching birds as no tall native forest trees exist in this area. A replacement process of replanting emergent species along the ridgeline and proposed track could be considered.



Review of the hazardous trees within the Town Belt needs to be looked at to ensure the proposed track does not go through any of these areas. Some remaining large trees have a long term plan for removal and access points to some of these trees need to be looked at, in particular the lower section.

The WTBMP also emphasises the requirement to have a diversified mixed forest behind the sports hub area of Hataitai Park. Care will need to be taken when any track areas traverse through the existing tall conifers and gum trees with consultation with an arborist before final alignment of the track is decided.

Selective alignment of the track through restoration areas should ensure only a few plants need to be removed to create the alignment required. Preference should be given to weed pests if possible with out causing too much issue with the alignment of the track.

The lower section of the proposed track crosses a number of riparian stream heads, ephemeral streams and seepages. Sections of this area may require bridges or raised boardwalk areas to preserve the stream heads and careful thought around drainage control of the tracks.

Careful alignment of the track in areas can mean the removal of some pest weeds/ tree species in preference to removal of native species. Shifting the proposed alignment can ensure retention of existing native species. This should be the objective when defining the final alignment of the track.

If possible re use sections of existing tracks in the lower section. There are possible areas of Shuttle track that could to be used. If any of the old tracks become redundant due to the new track, they should be closed and planted to remove them.

The exit point of the track needs careful thought as there is the proposed roundabout and road widening in this area. The new track may need to end at the skills area until the road intersections below are finalised

#### **Planting recommendations;**

Planting along the proposed track sides should be undertaken in all areas except under the gum canopy and areas where large pines may be removed in the future. The planting list for the area should be a lowland mixed coastal forest and understorey species, all plants for the area need to be locally ecosourced. Careful placement of some emergent trees in the upper section for long term replacement of the existing pines needs to be looked at. This is in line with the WTBMP and the Matairangi Master Plan.

Planting in the lower section in the riparian areas will remain as part of the community group who manage this site.

There is scope for larger areas of pest weeds to be controlled in some sections, especially the blackberry area above the velodrome and a planting plan put in place. Areas of blackberry need to be controlled 2 years ahead of planting to ensure a good outcome. Some of the understorey pest weeds such as Japanese honey suckle and English ivy also need a 2 to 3 year lead in for good weed control prior to planting.

If possible ground ferns can be dug up and moved if they are within the track alignment. This needs to be carried out in the cooler months.

Anita Benbrook

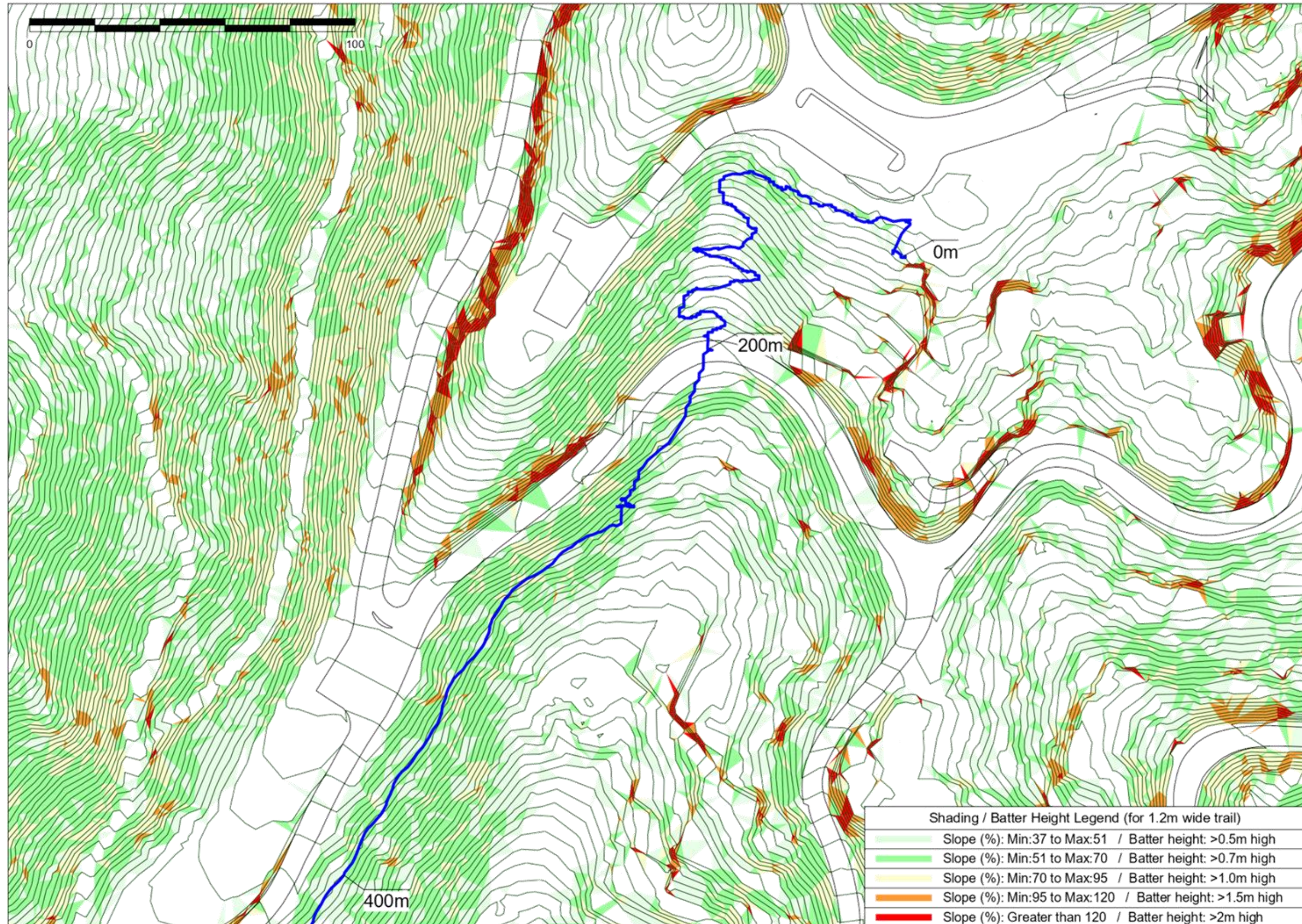
Biodiversity Specialist, Plants

Urban Ecology

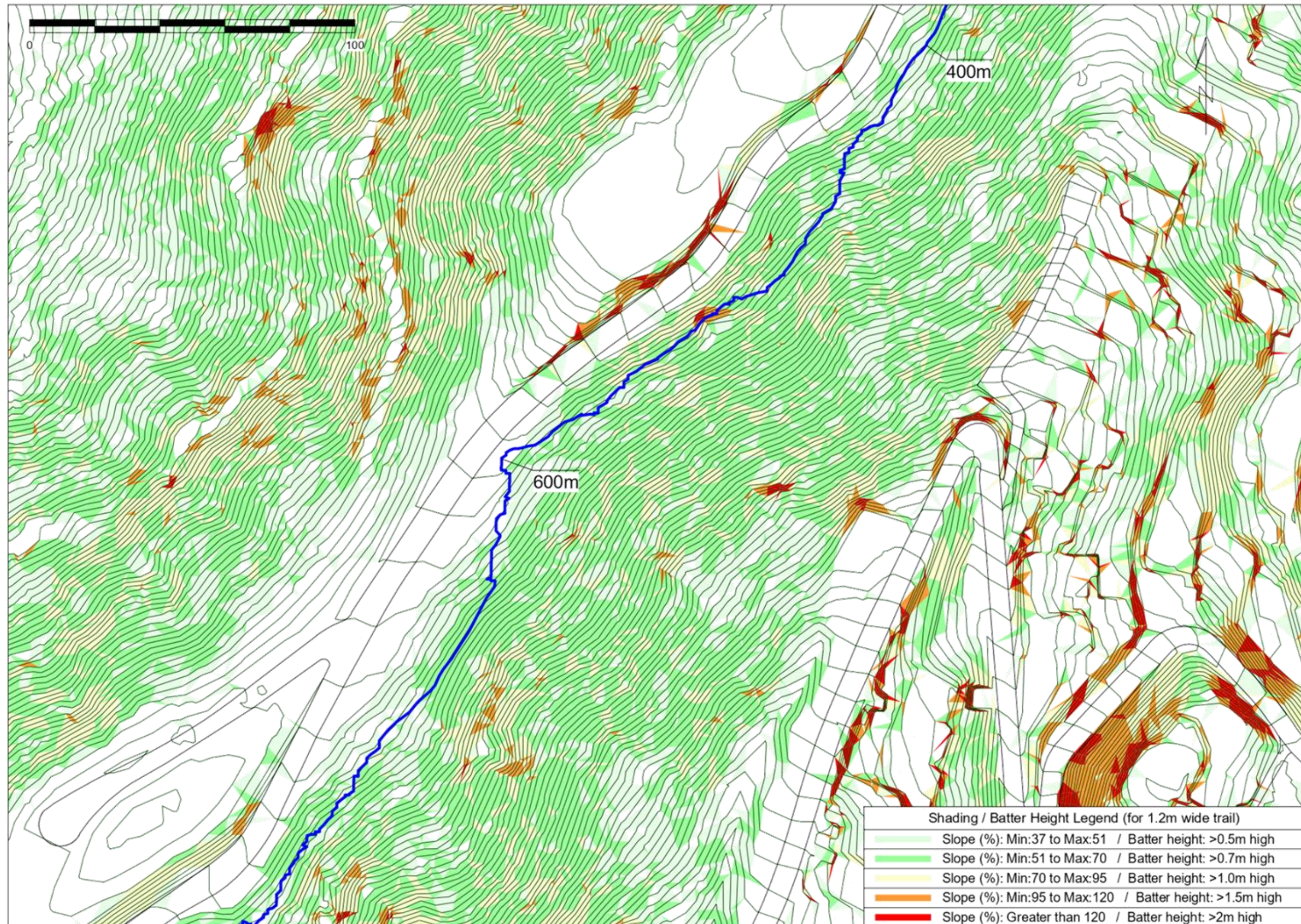




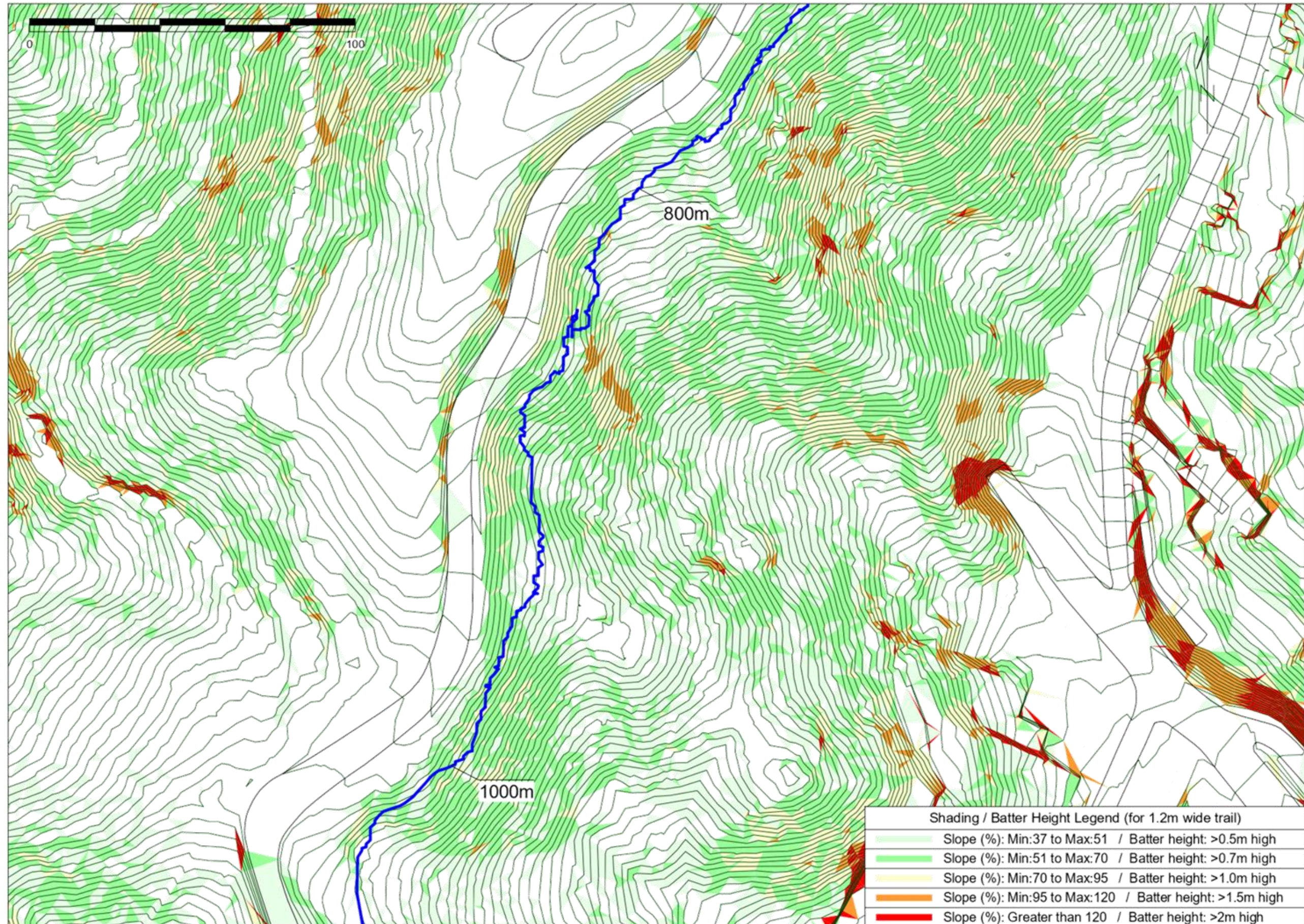




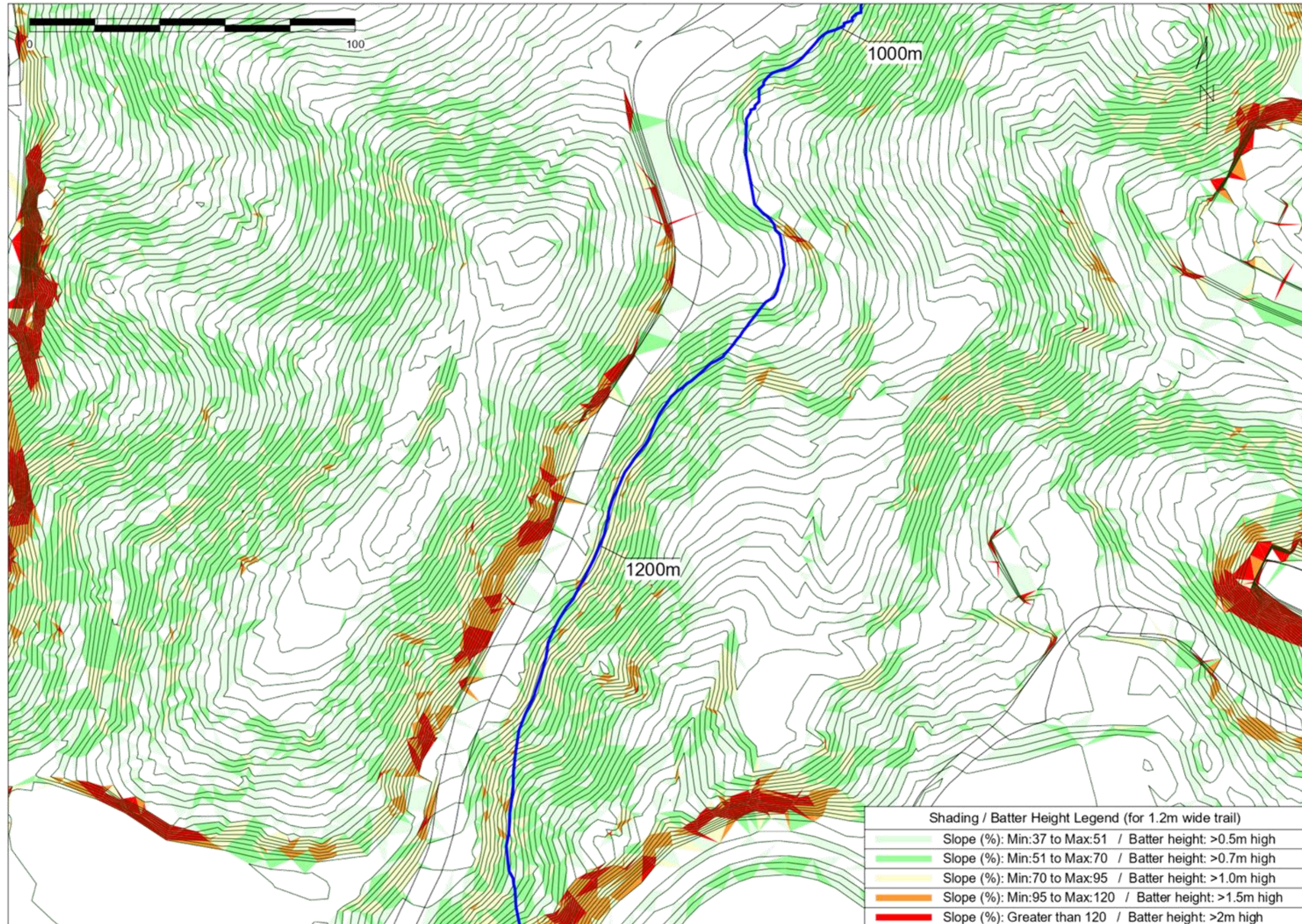




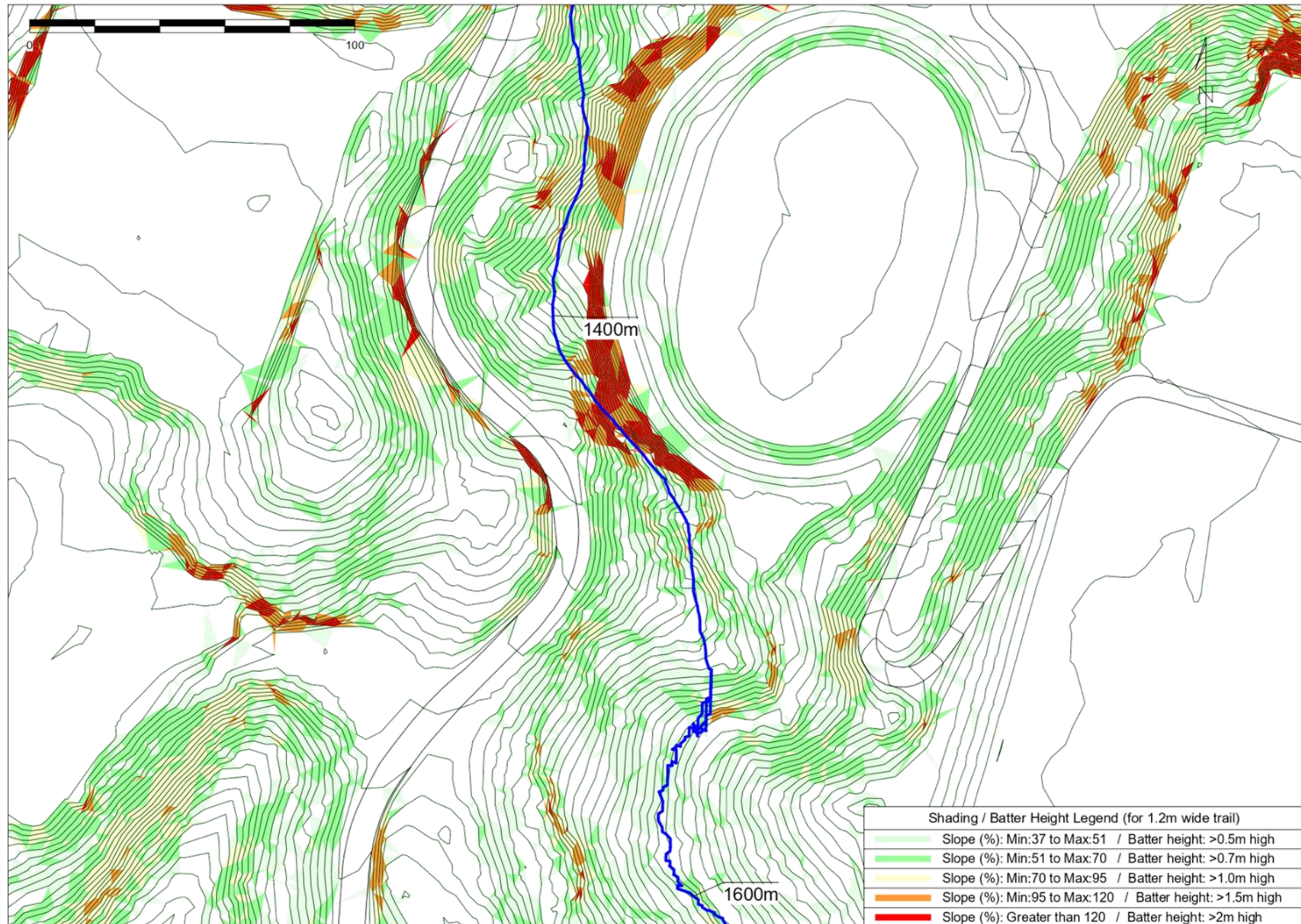




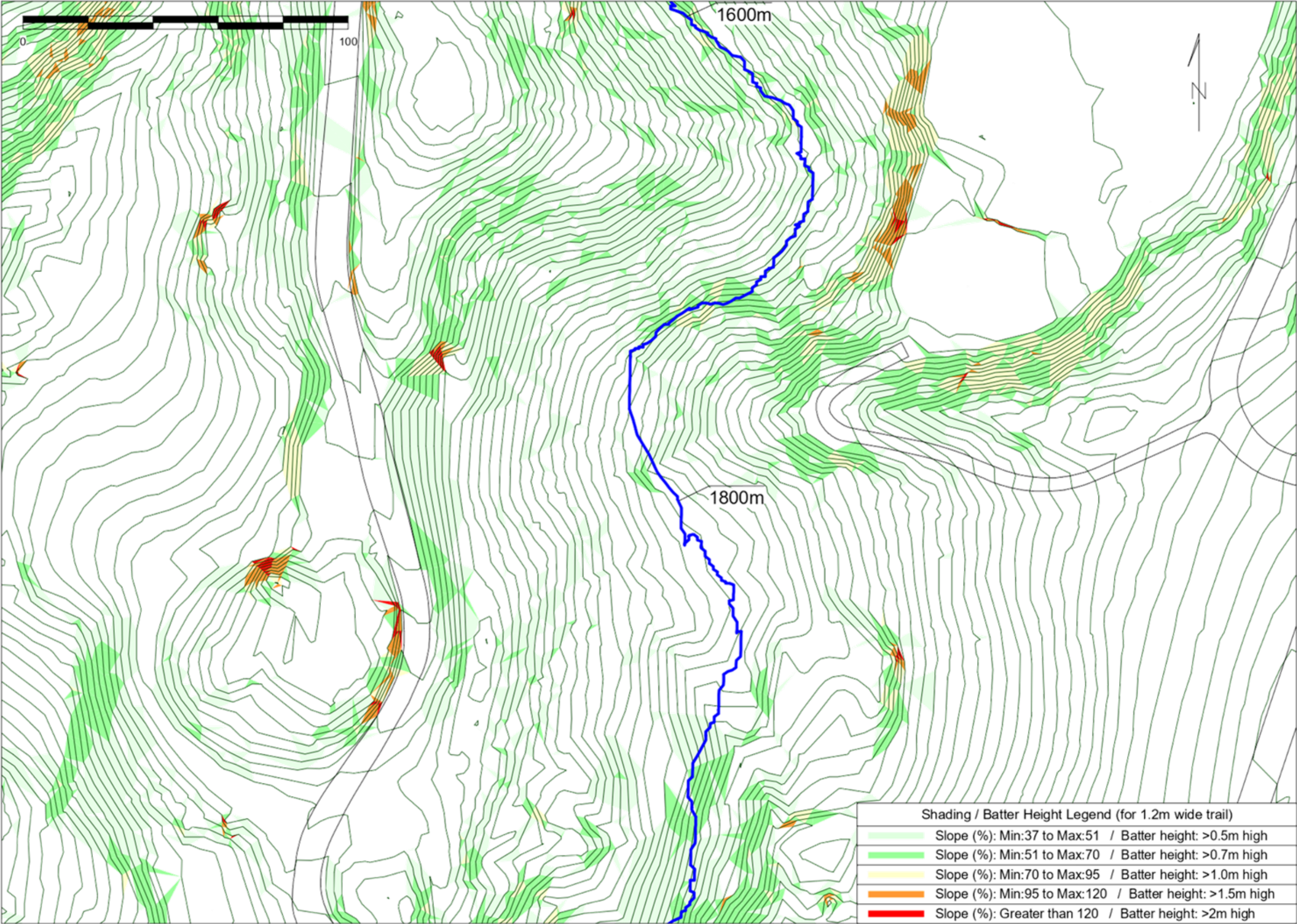




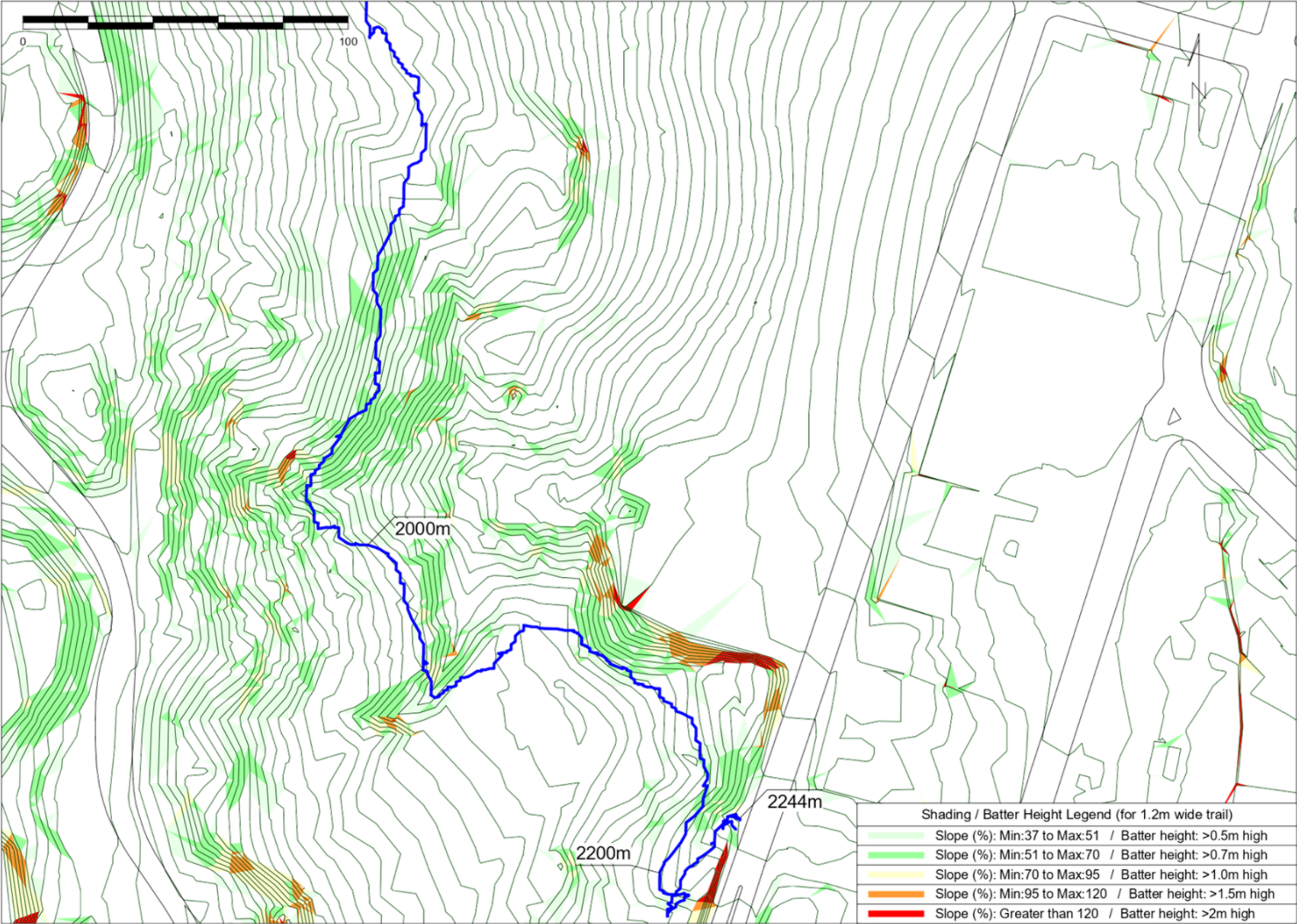
















Recreation  
Aotearoa

# New Zealand Mountain Bike Trail Design & Construction Guidelines



# New Zealand Mountain Bike Trail Design & Construction Guidelines

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Mountain Biking has quickly become a mainstream sport, with a broad range of bike trails being developed all around New Zealand.

Projects are now being driven by land managers such as DOC, Iwi, local and regional councils and also private land owners, adding a more structured and professional approach to complement the well established volunteer based, club driven structure.

Often the project manager or engineer managing the project has no background in the sport, and the volunteer driver may be light on the steps needed to produce a fit for purpose product.

This new guideline is intended to help all parties develop and clarify their understanding of the creative elements that go into delivering a fun trail experience at each of the six different grades of difficulty.

This guideline gives a detailed and defined specification for new trails at each grade, and also provides a template for the maintenance and auditing of existing trails. Any organisation involved with developing, building, maintaining or auditing a trail is encouraged to use these guidelines - with the over riding goal for NZ being a level of consistency and continuity around trail grading to ensure a fantastic user experience



Photography by visualsby.me



## Trail Specifications

Specification	Grade 1 Easiest	Grade 2 Easy	Grade 3 Intermediate	Grade 4 Advanced	Grade 5 Expert	Grade 6 Extreme
Target Audience	Suitable for all ages and most fitness levels. The trail feels safe to ride and is ideal as a first ride for non-cyclists, and those wanting an easy gradient or experience. They shall be well formed, flat, wide and smooth. The trail allows for cyclists to ride two abreast most of the time, and provides a social component to the ride. Cyclists will be able to ride the total distance of the trail without dismounting for obstacles.	Riders develop balance and gear choice skills. Trail shall be well formed, smooth and with some gentle climbs, is predictable with no surprises and is suitable for beginner riders. Trail has a social aspect with riders being able to ride side by side at times but the majority of the trail provides for a single rider. Suitable for most ages and fitness levels	Riders develop controlled braking skills, and gain riding experience. These trails can be narrow with some hills to climb. There may also be some exposure to drop-offs. Rider needs the skills to ride narrower tracks and maintain balance on a narrower surface, steer to avoid or ride over obstacles up to 100mm high or deep	Riders develop accurate line choice, controlling braking on the edge of traction, and gain further riding experience. Obstacles increase in size and frequency, track width varies. Some backcountry trails may also be 2-way at this grade.	Riders develop skills to control a bike in sections of trail where there is poor or no traction. Grade 5 trails are technically challenging with big hills, often lots of rocks and some walking likely. Grade 5 trails may traverse a wide range of terrain and cater for riders with generally high levels of skills and experience. Easier "B" Lines should be provided around un-rollable obstacles. Trails at this grade should be 1-way.	Riders develop supreme bike and tyre placement accuracy. Trail may not be passable in wet weather conditions. These trails include those purposely built downhill / free ride trails for technically advanced and highly experienced riders. Grade 6 trails may traverse a wide range of terrain with large jumps and obstacles catering for extreme riders, without easier "B" lines. Trails at this grade should be 1-way.
Sideslope <5°	Minimum Trail Tread Width 1-way or 2-way 1.5m	Minimum Trail Tread Width 1-way: 900mm, 2-way: 1.2m	Minimum Trail Tread Width 1-way: 600mm, 2-way: 1.2m	Minimum Trail Tread Width 300mm	Minimum Trail Tread Width 250mm	Minimum Trail Tread Width 100mm
Sideslope 5-15°	1-way or 2-way 1.5m	1-way: 900mm, 2-way: 1.2m	1-way: 800mm, 2-way: 1.2m	300mm	250mm	100mm
Sideslope 15-30°	1-way or 2-way 1.8m	1-way or 2-way 1.2m	1-way: 900mm, 2-way: 1.2m	400mm	250mm	100mm
Sideslope 30-45°	1-way or 2-way 2m	1-way or 2-way 1.2m	1-way or 2-way 1.2m	500mm	250mm	100mm
Sideslopes over 45°	1-way or 2-way 2.5m	1-way or 2-way 1.5m	1-way or 2-way 1.2m	600mm	250mm	100mm
2-way Width	Regular passing bays, and/or wider sections of trail should be incorporated to assist 2-way trail flow				1-way trails only	

### Guidance

- As sideslope on the downhill side of the track increases, the consequence of fall increases, therefore the skill level required to ride the track safely increases. Allow extra width where side slopes are steepest.
- Grade reversals are recommended at intervals relative to the gradient and soil type of the trail; spacing between reversals should decrease as gradient increases (see table 1). A grade reversal should occur at every unbridged water crossing point.
- Tread outslope of 3-5° should be utilised where ever possible (except for insloped corners and where insloped water table drains are needed for boggy ground)



Photography by David L. Brown

## Uphill Trails

Specification	Grade 1 Easiest	Grade 2 Easy	Grade 3 Intermediate	Grade 4 Advanced	Grade 5 Expert	Grade 6 Extreme
<b>UPHILL TRAILS</b>						
Target Average Gradient	2° (1 in 28.6) for no less than 98% of the trail.	3.5° ± 1° (1 in 16.3) for no less than 95% of the trail.	5° ± 1° (1 in 11.4) for no less than 90% of the trail.	6° ± 1° (1 in 10.5) for 90% of the trail.	10° (1 in 5.7) for 90% of the trail.	15° (1 in 3.7) for 90% of the trail.
A) Steeper uphill gradients may occur up to 200m long.	Maximum of 3° (1 in 19.1)	Maximum of 5° (1 in 11.4)	Maximum of 7° (1 in 8.2)	Maximum of 9° (1 in 6.3)	Maximum of 13° (1 in 4.3)	Maximum of 16° (1 in 3.1)
B) for slopes up to 10-20m long.	Maximum of 4° (1 in 14.3) for up to 10m	Maximum of 6° (1 in 10.5) for up to 10m	Maximum of 10° (1 in 6.3) for up to 10m	Maximum of 12° (1 in 5.1) for up to 15m	Maximum of 15° (1 in 3.7) for up to 15m	Maximum of 20° (1 in 2.7) for up to 20m
	A and B combined shall not exceed 2% of the track length	A, B and C combined shall not exceed 5% of the track length	A and B combined shall not exceed 10% of the track length.		A and B combined shall not exceed 20% of the track length	

### Guidance

- Any steep uphill sections of trail, are best to occur before or after a flat section or grade reversal. Not at the end of a long section at maximum gradient
- Trail average gradients of 5.7° (1 in 10) are most sustainable. Trail gradients steeper than this are physically unsustainable, will erode quickly and require a high level of armouring and maintenance to keep to grade.
- Maximum sustainable trail gradients may need to be less than stated based on a number of environmental factors (see table 2)
- Trail grade should be reasonably consistent. Where a section is out of grade, it should be no more than 1 grade harder than the target

## Descending Trails

Specification	Grade 1 Easiest	Grade 2 Easy	Grade 3 Intermediate	Grade 4 Advanced	Grade 5 Expert	Grade 6 Extreme
<b>DESCENDING TRAILS</b>						
Target Gradient (trail average)	3.5° (1 in 16.3)	5° (1 in 11.4)	6° (1 in 10.5)	10° (1 in 6.3)	14° (1 in 4)	No target
Maximum Gradient	4° (1 in 14.3)	8° (1 in 7)	11° (1 in 5.1)	15° (1 in 3.7)	20° (1 in 2.7)	There is no maximum downhill gradient
Technical Trail features (jumps, drops, etc)	All features roll-able, no stepped drops	All features roll-able. Stepped drops maximum height of 200mm with gentle downhill transitions, and wide "B" lines	All features roll-able. Gap jumps max length 2m Stepped drops max height of 600mm with gentle downhill transitions. Jump ramp angle max 35°	Features mostly roll-able. Gap jumps not rollable must have clearly identified "B" lines. Stepped drops max height of 1m Jump ramp angle max 45°	Features mostly roll-able. Gap jumps not rollable must have clearly identified "B" lines. Stepped drops max height of 1.5m Jump ramp angle max 45°	Trail style will determine type of features. No "B" lines required, but are recommended

### Guidance

- Utilise a reverse gradient approach up and over a ridge before turning, rather than turning on a ridge (creating a blind corner)
- Trail average gradients of 5.7° (1 in 10) are most sustainable. Trail gradients steeper than this are physically unsustainable, will erode quickly and require a high level of armouring and maintenance to keep to grade.
- Maximum sustainable trail gradients may need to be less than stated based on a number of environmental factors (see table 2)

## General Guidance

Specification	Grade 1 Easiest	Grade 2 Easy	Grade 3 Intermediate	Grade 4 Advanced	Grade 5 Expert	Grade 6 Extreme
GENERAL						
Aud	None	Trails can have up to 2% wet and muddy sections. These shall be no deeper than 50mm and should be rideable. To ensure that wet or muddy sections of trail are not excessively long, they should constitute no more than 1m in every 50m			Trails can have up to 2m of mud in every 50m, up to 300mm deep. Riders should typically expect to dismount for these muddy sections.	
read Obstacles	None	Up to 50mm	Up to 100mm high	Up to 1m high with bypass	No limit, with bypass	No limit, no bypass
urn Radius to outside of tread	6m ± 1m	Minimum 4m, 5m minimum desirable	Minimum 2.5m, desirable minimum 3m or more if it is a fast trail.	Minimum 2m, desirable minimum 3m, more if speed is fast section of trail.	Minimum 1.5m, more if speed is desired.	Minimum 1m, more if speed is desired.
Maximum Corner Camber (table 3)	+10deg - 2 degrees Blending to flat inside radius	+ 20 deg – 3 deg Blending to flat inside radius	+40 deg – 3 deg Blending to flat inside radius	No camber restrictions		
Clearances to	Vegetation, Large rocks, Bridge abutments, Sculptures, Power and light poles, Sign posts and perpendicular drains: All shall be cleared a minimum of 0.15m and a maximum of 0.3m from the outer edge of the trail formation and to a height of 2.4m, giving riders a clear passage and an unimpeded view of the surface. Additional clearance of up to 800mm is necessary on bends where riders will lean into corners. 2.0 – 2.4m height clearance may be allowable in some circumstances (ie, bridge abutments, valuable trees, etc).					
Clearances to	Fences, walls, bridge handrails, guard rails, steep slopes, banks and batters, rock faces, parallel drains, lakes, rivers, coastlines, hedges and buildings: All shall be cleared a to minimum of 0.5m and a maximum of 1.0m from the outer edge of the Trail formation and to a height of 2.4m, giving riders a clear passage and an unimpeded view of the surface.					
Cut / cleared vegetation Treatment Options	Trees and shrubs should be assessed for their ecological value, and where possible, exotic species removed rather than native species. Trail alignment should be adjusted to avoid removing rare and/or large native trees which are valuable to the landscape and ecological values of the trail.					
	All limbs should be cut flush (or to within 10mm) of the trunk or main branch or ground.					
	All cut woody vegetation shall be removed from the track surface and vegetation <100mm Chipped, vegetation >100mm moved out of site of the track. Note this option is only likely to be suitable for high value scenic reserves, National Parks etc					
	All cut woody vegetation shall be removed from the track surface and, if practicable, out of view of the track, this option is typical for DOC and Council reserves					
Additional Clearances	All cut woody vegetation shall be removed from the track surface and placed beside track to biodegrade, does not have to be out of sight, this option is typical for Forestry Plantations					
	On shared use or 2-way trails, vegetation clearance, especially on corners, shall be sufficient to allow good visibility to a recommended 10m minimum sight distance for cyclists and walkers. Where riding speed is likely to be over 20kph, increase the sight distance to 20m if possible.					
Trail Surface	The surface of the trail shall be well formed, smooth and even and shall be made of durable material, such as concrete, chip seal or asphalt, or compacted top aggregate of 20mm. Wet areas shall be drained. In dry weather the trail surface shall be such that it can be ridden on comfortably without getting wet or muddy	The surface of the trail shall be well formed, smooth and durable. Surface material maybe compacted 30mm aggregate. Wet areas shall be drained. In dry weather the trail surface shall be such that it can be rode on comfortably without getting wet or muddy.  Some rocks, roots, ruts that can either be avoided, or are less than 50mm high.	The surface of the trail shall be mostly well formed, even and generally firm. Trails may have some loose sections where the trail surface is broken by rock, roots, scree or other obstacles. These sections shall still provide reasonably good riding conditions in all weather. Wet areas shall be drained. In dry weather the trail surface shall be such that it can be rode on comfortably without getting wet or muddy.	The surface of the trail shall be generally firm but may have some loose sections where the trail surface is broken by rock, roots, scree or other obstades these shall be no higher/deeper than 200mm. These sections should still provide reasonably good riding conditions in all weather.  Wet areas shall be drained. In dry weather the trail surface shall be such that it can be rode on comfortably without getting wet or muddy.	The trail surface will be highly variable and shall generally be the natural surface and may include mud, water, roots, ruts and embedded rocks. Major obstacles such as windfalls are to be removed or the track diverted around them. Generally minor obstacles such as rocks tree roots and earth are not to be removed. The surface of the trail <i>may be</i> firm, loose and have muddy sections. There will be steep climbs with unavoidable obstacles on a narrow trail. Many roots and ruts up to 0.6 m high or deep. The trail surface shall be mostly well formed and even with wet areas drained Up to 50% of the total length of track may have: (a) short wet or muddy sections or (b) uneven or rough sections where the trail surface is broken by roots, scree or other obstacles. These sections must still provi reasonably good riding conditions in all weather.	



## General Guidance

Specification	Grade 1 Easiest	Grade 2 Easy	Grade 3 Intermediate	Grade 4 Advanced	Grade 5 Expert	Grade 6 Extreme
Environmental Consideration	<ul style="list-style-type: none"> <li>Check local council rules, building consent requirements etc, any local planning restrictions/constraints and Resource Management Act requirements before design and construction</li> <li>Earthworks machinery, hand tools and PPE should be cleaned before being brought on to site to avoid importing weeds</li> <li>In native forests, and close to waterways, extra care needs to be taken to avoid soil erosion and sediment entering streams. Close to waterways, sustainable trail construction involves compacting dug soil on the side of the track so that it doesn't wash to streams. Berms and trail gradients will be more gentle, to avoid soil erosion</li> <li>Plant grass or native vegetation alongside the edge of the track as soon as possible after construction, so as to stabilise the edges and reduce visual impact. This may involve replanting plants that have been dug from the trail alignment during construction.</li> <li>Imported gravel, soil and armouring materials must be from any weed-free source.</li> <li>Survey tags, left over construction materials/signs, spray painted marks and general rubbish should be removed at trail completion.</li> <li>A formal safety audit should be completed at trail completion, including assessing the safety of potential fall zones</li> </ul>					
The minimum structure width shall be	1.2m with handrails/barrier to fall or 1.5m for boardwalks without handrails/barrier to fall. The approach to the structure for at least 10m should be the same width as the structure	1.2m. The approach to the structure for at least 10m should be the same width as the structure	0.9m with handrails /barrier to fall and 1.2m without.	0.6m	0.4m	0.2m
Boardwalks (no handrails or barrier to fall) Width depends on the length, and the height of fall. Measurement not including tickboards.	The minimum boardwalk width shall be 1.5m. Boardwalks shall be used over wet, swampy, sandy or muddy sections to achieve a stable dry surface for visitor comfort and/or to protect the environment.	The minimum boardwalk width shall be 1.2m. Boardwalks may be used over wet, swampy, sandy or muddy sections of the trail to achieve a mainly dry surface and/or protect the environment. Alternatives to boardwalks, such as drainage of wet areas or raised, hardened sections of track, may also be used	The minimum boardwalk width shall be 0.9m. The approach to the structure for at least 10m should be the same width as the structure	The minimum boardwalk width shall be 0.6m. The approach to the structure for at least 10m should be the same width as the structure	Boardwalks are not generally provided on grade 5 trails. Instead where muddy, sandy or swampy conditions exist tracks are to be drained, rerouted or raised. If there is no alternative, boardwalks may be constructed only where they are necessary to mitigate significant environmental effects. Minimum 0.4m for Grade 5, 0.2m for Grade 6	
Bridges (Flared handrails or barrier to fall required to provide handbar clearance)	All major watercourses shall be bridged. Minor watercourses should also be bridged, except where culverting may be more appropriate.	Watercourses with less than 100mm of water in normal flow and can be easily ridden shall not have bridges; all other watercourses shall be bridged. Culverts may be utilised where appropriate.	All major and minor watercourses shall be bridged except fords with less than 200mm of water in normal flow. The minimum bridge width shall be 0.9m. The approach to the structure for at least 10m should be the same width as the structure. Culverts may be utilised where appropriate	All major and minor watercourses shall be bridged except fords with less than 300mm of water in normal flow. The minimum bridge width shall be 0.6m. The approach to the structure for at least 10m should be the same width as the structure Culverts may be utilised where appropriate	Water courses shall be bridged where they cannot be safely crossed without the help of others during times of normal water flow. Watercourses shall also be bridged where: (a) No reasonable alternative wet weather track exists; and (b) They cannot be safely crossed unassisted when in flood; and (c) Floods occur with a frequency that means the water course is a barrier to progress or becomes a significant hazard and (d) There is no accommodation/shelter within 2 hours riding distance where visitors can wait until the river/stream conditions improve	

## General Guidance

pecification	Grade 1 Easiest	Grade 2 Easy	Grade 3 Intermediate	Grade 4 Advanced	Grade 5 Expert	Grade 6 Extreme
uardrails / barriers	Where a significant hazard (such as bluffs) exists and there is no other alternative, a barrier or guardrail shall be provided. Barriers and guardrails shall extend for the full length along which the significant hazard exists.					
iewing platforms	Viewing platforms may be provided in appropriate places along the trail.			Viewing platforms <b>shall not</b> generally be provided on these trails.		
Steps	No 'Walking' Steps, No Stiles		'Walking' Steps are undesirable, however may be used as long as less than 1% of track length			
helters & Toilets	Shelters may be provided where there is a significant level of exposure to adverse weather conditions on the most distant parts of the trail. Where shelters are provided, toilets should also be provided at those locations that are popular stops. Toilets should ideally be provided at an interval of not less than 15 km and not greater than 20km apart.					
urniture	Seats and picnic tables may be provided.			Seats and picnic tables are not generally provided on these trails.		
ignage	Ideally include riding times, distances and grid references at entrances, exits and at all junctions. Significant points of interest along or at the end of the trail should be signposted. At locations where there is a jump to a higher grade, signs shall be provided with appropriate symbols and words to describe the change. An orientation/track information sign should be provided at entrances where more than one riding option exists.					
Trail Type	It's helpful for trail signage to show the trail type: "Technical" typically mean slow speed, rough rooty/rocky surface. "Flow" typically means high speed, smooth surface jumps, rollers and berms.					
Shared Use Trail	The trail shall be clearly labeled as one suitable for pedestrians and cyclists by use of appropriate symbols at track entrances and junctions. At junctions where the trails change from dual use to only walking or off-road cycling there shall be appropriate symbols to inform the user					
ignage						
Guidance	One of the most difficult sections of trail should be at the start, to act as a 'gateway' or 'filter' that deters riders with not enough skill. Difficult sections should be no more than one grade harder than the overall trail grade. The safest tracks are 'grade consistent'.					



Photography by visualhygge

## Guideline for the Provision of Barriers beside Tracks and Structures (based on SNZ HB 8630:2004)

Measure Fall Height Hf 1.5m out from edge of track, or structure that is <1.5m high, for structures that are between 1.5 and 2m high measure Fall Height at the same distance out from the structure as it is high, For Structures >2m high, measure Fall Height 2m out from the structure edge.	Grade 1 Easiest	Grade 2 Easy	Grade 3 Intermediate	Grade 4 Advanced	Grade 5 & 6 Expert & Extreme
Fall onto a benign surface presenting features that will tend to reduce the effect of impact (a) Deep moss (b) Soft vegetation (c) Shallow still water deep enough to cushion a fall (d) Swamp	Hf > 2.0m Provide Type A Barrier Hf = 1.0-2.0m Provide Type B barrier Hf < 1.0m no barrier	Hf > 3.5m Provide Type A Barrier Hf = 2.0-3.5m Provide Type B barrier Hf < 2.0m no barrier	Hf > 2.0m Provide Type B Barrier Hf < 2.0m no barrier	Hf > 2.5m Provide Type C Barrier Hf < 2.5m no barrier	Hf > 3.5m Provide Type C Barrier Hf < 3.5m no barrier
Favourable surface presenting features that neither reduce nor amplify the effect of impact (a) Gravel (b) Sand (c) Deep water with reasonable means of exit (d) Grass	Hf > 1.5m Provide Type A Barrier Hf = 0.5-1.5m Provide Type B barrier Hf < 0.5m no barrier	Hf > 3.0m Provide Type A Barrier Hf = 1.5-3.0m Provide Type B barrier Hf < 1.5m no barrier	Hf > 1.5m Provide Type B Barrier Hf < 1.5m no barrier	Hf > 2.0m Provide Type C Barrier Hf < 2.0m no barrier	Hf > 3.0m Provide Type C Barrier Hf < 3.0m no barrier
Unfavourable surface presenting features that will tend to amplify the effect of impact (a) Jagged stones (b) Concrete pavement (c) Deep water without reasonable means of exit (d) Sharp vegetation	Hf > 1.0m Provide Type A Barrier Hf < 1m Provide Type B Barrier	Hf > 2.5m Provide Type A Barrier Hf = 1.0-2.5m Provide Type B barrier Hf < 1m no barrier	Hf > 1.0m Provide Type B Barrier Hf < 1.0m no barrier	Hf > 1.5m Provide Type C Barrier Hf < 1.5m no barrier	Hf > 2.5m Provide Type C Barrier Hf < 2.5m no barrier
Hazardous surface presenting features that will result in serious harm, regardless of the effect of fall to the initial impact point (a) Swiftly flowing water without means of exit (b) Boiling mud or water (c) Extended falls arising from rolling or sliding, following initial impact, on terrain whose slope exceeds 35deg. Mitigating factors such as vegetation likely to arrest rolling shall be taken into account when assessing extended falls	Provide Type A Barrier	Provide Type A Barrier	Provide Type B Barrier	Provide Type C Barrier	Provide Type C Barrier

**Note 1:** The above table is derived from SNZ HB 8630:2004 and assumes that the walking user groups identified translate to the MTB trail grades 1-6.

**Note 2:** For tracks and structures with tread width <1.2m it's recommended that barriers be angled outwards at approx. 5 deg from vertical to allow clearance for handlebars

**Note 3:** For structures <1.5m in height and not requiring building consent, the following linked references provide ideal construction information and templates: [WCC Description](#) and [Frame Group Drawings](#)

### Barrier construction

#### 1. Type A Barriers

If openings are present, they shall be small enough to prevent a sphere of 100 mm diameter or greater passing through. Barrier components that are between 150 mm and 760 mm above the deck (or stair nosing) shall be constructed to prevent toeholds from being obtained. The triangular opening formed by the riser, tread and bottom rail at the open side of a stairway shall be constructed so that passage by a 150 mm diameter sphere is prevented.

#### 2. Type B Barrier

Openings in type B barriers shall have maximum dimensions of either:

- [a] 200 mm horizontally between vertical balusters, or
- [b] 300 mm vertically (between intermediate rails) with any openings less than 150 mm between the deck and first horizontal rail.

#### 3. Type C Barrier



**Table 1 Grade Reversal (Tread Length Management)** Ref: Natural Surface Trails by Design, Troy Scott Parker, 2004

Substrate	Tread Grade										
	0°	1.1°	2.3°	3.4°	4.6°	5.7°	6.8°	8°	9.1°	10.2°	11.3°
Clay loam with high quantity of gravels, stones	65m	49m	37m	27m	20m	15m	11m	7m	5m	2m	2m
Gravelly clay	55m	40m	29m	21m	15m	10m	7m	4m	2.5m	1m	
Loam with high quantity of gravels, stones	49m	36m	25m	17m	12m	8m	5m	3m	2m	1m	
Clay	44m	32m	23m	16m	10m	7m	4m	2m	1m		
Loam	41m	27m	17m	11m	7m	4m	2m	1m			
Crushed granite or limestone, with angular particles 20mm, 125mm thick	38m	24m	15m	9m	5m	3m	1m				
Organic soil	34m	21m	12m	7m	4m	2m					
Sand	30m	17m	9m	5m	2m	1m					

**Notes:**

1. Tread length stated is the distance between a tread crest and the adjacent dip.
2. These values are designed to minimize tread maintenance and minimize tread shape change through erosion
3. Values reflect high splash erosion (no tree canopy)
4. Assumes severe rainfall events of 1-3 times per year. Higher rainfall areas should use shorter tread watershed distances.
5. No tread should have a 0° grade – this column reflects tread grades between 0 and 2°
6. Compacted pure clay while cohesive even on steep grades when dry, is generally too slippery when wet to be practical.

**Guidance Notes:**

- Grade reversals should be placed at all unbridged water crossings, and at all points where water will flow in heavy rain.
- Grade reversals are also useful for slowing riders down before switchbacks and track junctions.

**Table 2 Factors Influencing Maximum Sustainable Trail Gradient**

Half Rule	Gradient should not exceed half the grade of the sideslope – if it does, it is considered fall-line.
Soil Type	Some soils will support steeper grades than others – knowing the cohesion and drainage properties of the soil is important
Rock	Solid rock trails will support steeper grades.
Annual Rainfall	Very high and very low rainfall areas may need to be designed with gentler grades
Grade Reversals	Frequent grade reversals will allow for slightly steeper grades
Type of Users	Walkers and Mountain bikers are generally low impact users. If high impact users share the trail, more gentle grades should be considered
Number of Users	High use trails may need more gentle grades
Difficulty Level	Grade 4-6 trails with a desired higher difficulty level may be steeper, but techniques such as frequent grade reversal and tread armouring may be essential to ensure sustainability



Photography by visualsbyme

**Table 3 Ideal Camber Angles for Berm Style Corners**

Speed into Corner km/hr	2m turn radius	3m turn radius	4m turn radius	5m turn radius	6m turn radius
	degrees				
5	11	6	4	3	2
10	21	15	11	9	7
15	42	31	24	19	16
20	58	46	38	32	28
25	68	59	51	45	39
30	74	67	61	55	50
35	78	73	67	63	58
40	81	77	72	68	65
45	83	79	76	73	69

**Notes:**

- Human powered bike climbing speeds (on singletrack) are typically 5-10km/hr
- E-bike (<300W) climbing speeds (on singletrack) are typically 10-15km/hr
- Descending speeds vary but typically speed increases with grade
- Designers need to make an assessment of trail speed into a corner to determine berm/camber/radius requirements

**Guidance Notes:**

- Select locations for turns where there is room for a reasonable turn radius while minimizing the requirement for excavation and retaining walls
- Trail gradient through the turn should match the overall trail gradient, as shown in the following table:

Turn Radius (m)	Average Trail Gradient (degrees)				
	3.5	5	6	10	14
Trail Drop (m) – entry to exit for 180 degree turn, measured at centre of ride line					
2	0.4	0.5	0.7	1.1	1.5
3	0.6	0.8	1.0	1.6	2.3
4	0.8	1.1	1.3	2.2	3.0
5	1.0	1.4	1.6	2.7	3.8
6	1.2	1.6	2.0	3.3	4.6

**Key**

Grade 1 <20 degrees maximum
Grade 2 <35 degrees maximum
Grade 3 <58 degrees maximum
Grade 4 <70 degrees maximum
Grade 5 <80 degrees maximum

**Key**

Grade 1
Grade 2
Grade 3
Grade 4
Grade 5



Photography by visualsby.me

July 2018 Final Draft - Origin

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Contributing Organisations: Southstar Trails; Nga Haerenga NZ Cycle Trail; MTB Trails Trust; Tasman Trails; Wellington City Council; Department of Conservation (Steven Peters); Trail Fund NZ; MTB Skills Clinics.

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## TRADING AND EVENTS IN PUBLIC PLACES POLICY

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### Kōrero taunaki

### Summary of considerations

#### Purpose

1. This report asks the Pūroro Rangaranga | Social, Cultural and Economic Committee to consider and receive the submissions on the consultation of the Trading and Events in Public Places Policy (the policy).
2. This report also asks the Committee to agree to the amendments and adopt the policy. In adopting the new integrated policy, the Committee is agreeing to revoke the Footpath Management Policy (2007) and the Trading in Public Places Policy (2006).
3. The Committee is also asked to agree to additional public consultation on the revised “pre-approved” trading and event activities for the identified Wellington Town Belt and reserve sites.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- ☒ Sustainable, natural eco city
- ☒ People friendly, compact, safe and accessible capital city
- ☒ Innovative, inclusive and creative city
- ☒ Dynamic and sustainable economy
- ☐ Functioning, resilient and reliable three waters infrastructure
- ☒ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☒ Fit-for-purpose community, creative and cultural spaces
- ☒ Accelerating zero-carbon and waste-free transition
- ☒ Strong partnerships with mana whenua

#### Strategic alignment with priority objective areas from Long-term Plan 2021–2031

#### Relevant Previous decisions

- Councillor workshops were held on 22 July 2020 and 1 April 2021 to discuss the Trading in Public Places and Footpath Management policy reviews and the proposed changes.
- On 22 June 2021 the Pūroro Rangaranga | Social, Cultural and Economic Committee agreed to carry out public consultation on the Statement of Proposal presenting the draft Trading and Events in Public Places Policy. This integrated policy will replace the Council’s existing Footpath Management and Trading in Public Places policies.

#### Significance

The decision is rated medium significance in accordance with schedule 1 of the Council’s Significance and Engagement Policy.

#### Financial considerations



☐ Nil      ☐ Budgetary provision in Annual Plan / Long-term Plan      ☒ Unbudgeted \$200k

4. The Trading and Events in Public Places Policy will provide the principles for fee setting for activities in public places. The policy aims to ensure that costs are recovered from commercial activity on public land.
5. This policy recommends that the Council phase back in full fees for all outdoor dining (irrespective of smokefree status), and ensure the fees charged are consistent. It is recommended to have all outdoor dining licence holders on the full licence rate by 2024/25.
6. This policy review highlighted ways the Council can streamline our current processes for our customers (internal and external) to be able to trade and hold events in Wellington's public places. This process improvement work will require some initial resource investment of a full-time Project Manager and Business Analyst for a one-year contract.

#### Risk

☒ Low      ☐ Medium      ☐ High      ☐ Extreme

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#### Taunakitanga

##### Officers' Recommendations

Officers recommend the following motion

That Pūroro Rangaranga - Social, Cultural and Economic:

- 1) Receive the information.
- 2) Agree to the amended new Trading and Events in Public Places Policy 2021 as per **Attachment two**.
- 3) Agree to adopt the new Trading and Events in Public Places Policy 2021 and revoke the Footpath Management Policy (2007) and Trading in Public Places Policy (2006).
- 4) Agree to authorise public consultation on the revised "pre-approved" trading and event activities for the identified Wellington Town Belt and reserve sites (as set out in **Attachment three**).
- 5) Note that the Aho Tini 2030 LTP initiative included \$180k annually for the next ten years to facilitate activation of public spaces to support this policy. The funding will be used to deliver programmes in collaboration with the arts sector to promote vibrancy, safety, creative expression, and inclusiveness of our city's public places.
- 6) Note that the policy will not come into effect until July 2022 to ensure that new processes and fee structures to support the implementation of the policy are in place.
- 7) Delegate to the Chief Executive and the Chair or Deputy Chair of the Pūroro Rangaranga | Social, Cultural and Economic Committee the authority to amend the Statement of Proposal to include any amendments agreed by the Pūroro Rangaranga |

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Social, Cultural and Economic Committee at this meeting and any minor consequential edits.

## **Whakarāpopoto**

### **Executive Summary**

7. On 22 June, the Pūroro Rangaranga | Social, Cultural and Economic Committee agreed to publicly consult on the proposed new Trading and Events in Public Places Policy (the policy).
8. Consultation with the public and stakeholder groups was carried out from Wednesday 7 July to Monday 16 August 2021. The summary of the consultation results is included in Attachment one. The full submission report has been previously provided to Councillors.
9. 186 submissions on the proposed policy were received, this included 68 submissions from organisations and 118 from individuals. 33 submitters provided an oral submission on 2 September, of these 9 were individuals and 24 were representing organisations. Note that due to technical issues, one individual and two organisations will now be doing their oral submissions at Committee on 2 November.
10. The proposed policy has been amended to incorporate the consultation and feedback received. This amended version is Attachment two, note that both the tracked changes version and the final edit are included. This report asks the Committee to agree to the amendments and recommend to the Council that it adopts the policy.
11. As part of the policy consultation, we asked the public for their views on proposed sites on reserves and Wellington Town Belt where identified low-scale and low-impact trading and event activities could potentially occur with officer approval. This approval framework was proposed to streamline our approval process for activities on reserves and Wellington Town Belt. We heard a wide range of views – many submitters were supportive, some expressed concerns, and some wanted more clarity and information.
12. As a result of the feedback received and to ensure clarity, officers recommend that we carry out additional public consultation of the proposed low-scale and low-impact trading and event activities that take place on identified Wellington Town Belt and reserve sites. This additional consultation is required to meet our obligations under the legislation. This consultation document is included as Attachment three.
13. This second round of consultation will take place from November through to the end of February 2022. Note that the outcome of this additional consultation will not affect the policy. The information about the specific “pre-approved” Wellington Town Belt and reserve sites and activities will be incorporated into our website and individual licence conditions.
14. This policy is driving many changes to support vibrant and diverse trade and event activity to occur in our public places. Accordingly we recommend that it does not come into effect until July 2022 so that the necessary process and information reviews to support implementation can take place. It also enables us to work with operators to communicate and support them to understand the changes.

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## **Takenga mai**

### **Background**

15. This proposed policy is based on a review of the Footpath Management Policy (FMP, 2007) and the Trading in Public Places Policy (TPPP, 2006 with revisions in 2014).
16. The Council reviewed the policies because they no longer reflect the current situation. There are many trading and event activities that now occur on public land that neither policy provide for, such as commercial tours and public micromobility share schemes. The Council's strategic goals have shifted since the policies were first adopted and the review was needed to ensure alignment.
17. The review commenced in July 2020 with scoping work and workshops with Councillors. There was extensive early engagement carried out as part of this policy review, including a survey that was conducted with the Residents' Panel (535 responses). This early engagement and Councillor workshops set the direction for the policy review.
18. A significant theme of this early engagement was ensuring the Council streamlined its processes for trade and event activities. Accordingly the proposal included various ways to improve processes to support trade and event activities in public places.
19. One of the proposals was to streamline the approval process for trading and event activities on Wellington Town Belt and reserves. This is because commercial activities on Wellington Town Belt or reserve land currently require committee approval, which can lengthen the approval process and create uncertainty for operators. Feedback indicated that this is a deterrent for operators wanting to trade and activate Wellington Town Belt and reserves. It is particularly onerous for temporary and low-scale activities.
20. The proposal involved the Council "preapproving" particular low-scale and low-impact activities that can take place on specific sites. The proposal was to give Council officers delegation to assess any applications for these "preapproved" activities at the "preapproved" sites and either decline or approve them. To meet our obligations under the Reserves Act 1977 and the Wellington Town Belt Act 2016, these sites and activities need to be publicly notified. The detail of these sites and activities was included as part of the Statement of Proposal that was presented to this Committee on 22 June 2021.
21. Public consultation was carried out on the Statement of Proposal from 7 July to 16 August 2021 and a range of responses was received, these have been incorporated into the policy revisions. The amended policy is included for committee approval.
22. Further clarity was sought regarding the proposed new process for officers having delegation to approve or decline applications for preapproved low-scale trading and event activities at preapproved Wellington Town Belt and reserve sites. Therefore this report also asks the Committee to carry out a second round of public consultation on the reviewed document setting out the low-scale trading and event activities and the Wellington Town Belt and reserve sites (Attachment three).

## **Kōrerorero**

### **Discussion**

23. This section provides a brief overview of the public consultation feedback received on the Statement of Proposal presenting the draft Trading and Events in Public Places Policy. For full details please refer to Attachment one – Summary of Submissions.



24. The section is set out in the same order as the submission form questions and is labelled A-H. Each subsection sets out '*what we proposed*', '*what we asked*', '*what we heard*', and '*our proposed response*'.

#### **A. Policy objectives**

##### ***What we proposed***

25. The proposed policy aims to enable, support, and promote opportunities to trade and hold events in our city's public places. The proposal listed the following eight objectives to ensure that trading and events in Wellington's public places:
- encourage vibrancy, diversity, and amenity
  - maintain appropriate standards of public health, safety, and accessibility
  - promote consistent and predictable access ways on footpaths
  - minimise disruption to pedestrians
  - protect the urban, heritage, and natural environment
  - minimise the effects on private property and existing businesses
  - ensure that costs are recovered from commercial activity on public land so that it does not create a financial burden on ratepayers
  - clearly outline the Council's decision-making and approval process.

##### ***What we asked***

26. Submitters were asked to rate how important each of these objectives were to them. The scale ranged from very important to very unimportant. They were also asked an open-ended question about whether there was anything else they would like to tell us about the objectives.

##### ***What we heard***

27. Generally there was significant support for each of the objectives:

<b>Objective</b>	<b>Very – somewhat important</b>	<b>Somewhat – very unimportant</b>	<b>Neutral</b>
encourage vibrancy, diversity, and amenity	88%	5%	7%
maintain appropriate standards of public health, safety, and accessibility	90%	6%	4%
promote consistent and predictable access ways on footpaths	83%	5%	12%
minimise disruption to pedestrians	77%	8%	15%
protect the urban, heritage, and natural environment	83%	9%	8%
minimise the effects on private property and existing businesses	70%	13%	17%
ensure that costs are recovered from commercial	50.3%	21%	28.7%

activity on public land			
clearly outline the Council's decision-making and approval process.	84%	3%	13%

28. On the whole, the additional comments expressed support for all of the objectives.
29. An additional 17 comments were received about the “protect the urban, heritage, and natural environment” objective around the following three themes:
- Protecting the heritage and natural environment should be classed as separate objectives.
  - Cultural considerations need to be at the forefront and should be added to this objective.
  - The most important objective should be to protect the natural environment, particularly with regard to reducing waste.
30. There were six comments received about the “ensure that costs are recovered from commercial activity on public land” objective. These were mainly requesting assurance the Council was clear about the costs being incurred and only charging for those costs. Some comments were received about making sure any concession fees are charged to all activities regardless of the type of entity, for example “*not-for-profits still generate profit so should be charged*”.
31. A significant number of comments called for an objective recognising the value activities can bring to enhancing wellbeing by getting people active and connecting with nature in meaningful ways.

### **Our response**

32. Given the submitters were, on balance, more in support of each objective than not, it is recommended the objectives remain as is, with the following amendments:
- We have added “cultural” to the environmental objective and pluralised environment to make clear we mean all the different types of environments. We have also changed “protect” to “actively recognise and support” because it may not be possible for an activity to actively ‘protect’ a particular environment: “*actively recognise and support the urban, cultural, heritage, and natural environments*”.
  - We also added an objective to recognise the value of people enjoying and recreating in Wellington: “*promote social, cultural, and recreational opportunities in Wellington*”.
33. In response to the significant number of submissions calling for better protection of the natural environment through waste minimisation, we have added further requirements to the following sections:
- ‘Guiding principles’: we have added the sentence “Including consideration of how waste will be minimised” to the original principle of “the extent to which sustainable and environmentally friendly practices are integrated into the operations”.
  - ‘Approval conditions’: we have added the following condition to reinforce the significance of the Regional Event Packaging Guidelines “Any activities that involve food services must comply with the Regional Event Packaging Guidelines.” As a result, any packaging used by these vendors would be compostable.

- To reinforce the appropriate role and relevance of the Solid Waste Management and Minimisation Bylaw 2021 and its Event Waste Planning requirements that will come into effect in January 2022, we have added “if required under the Solid Waste Management and Minimisation Bylaw 2021” to the requirement to have a Waste Management and Minimisation Plan under the ‘**Approval process**’ section.

## **B. Scope**

### ***What we proposed***

34. The proposed policy scope was intended to be comprehensive and future proofed. Activities covered by the policy included:
- offering or carrying out commercial or non-commercial goods and services in a public place
  - fundraising for a charitable cause, soliciting of any subscription or collection of any one-off or ongoing donation
  - distributing and/or displaying promotional goods and materials (including advertising and tasting/sampling activities)
  - street performance/busking, including pavement art
  - events and filming in public places, such as activations, weddings, protests, parades, festivals, community, and sports events.

### ***What we asked***

35. Three open-ended questions were asked about the scope. We asked whether the proposed scope was adequate and whether there are other activities the policy should include. We also asked whether activities such as commercial group fitness, commercial tours, bulk bins, professional dog walking, pavement art, and commercial filming and photography that use public places should require approval. The final question asked if there was anything else they would like to tell us about the policy scope.



### **What we heard**

36. We received a total of 298 comments related to the scope questions:

Type of comment	Number
Scope is adequate	30
Scope should cover additional objectives	49
Activities should require approval	84
Only large scale/high impact activities should require approval	32
Scope is too broad and covers too many activities	8
Activities shouldn't require approval	33
Activities that contribute to wellbeing, vibrancy, and track maintenance shouldn't be included	12
No clear position	6
<b>TOTAL</b>	<b>254</b>

37. There were 44 comments received under the scope question relating directly to professional dog walking that will be addressed later in this report.
38. Of the 30 comments that agreed the scope covered all applicable activities supportive comments were received for the merging of the two policies and the “*forward-thinking aspects*” of the proposed policy.

### **Our response**

39. Of the 49 comments specifying additional activities the scope should include, most were already covered. For example, bike tours, guided rides, commercial demonstrations, and footpath stalls/retail. However some suggestions did require the listed activities in the ‘Specific approvals’ section to be expanded slightly. For example, we have added dog ‘training’ to the ‘professional dog walking’ section. We have also expanded the ‘commercial group fitness activities and commercial tours’ section to include commercial lessons and coaching.
40. A couple of submitters requested that commercial signage such as Adshells be covered by the policy. All commercial and temporary signage, except sandwich boards, are provided for in the District Plan signage chapter which is currently in draft.
41. A submitter expressed concern about the proposed ban of flags on footpaths and berms, “This is often a key way to identify safety aspects and direction for events...A blanket ban makes it very difficult to manage things like parking, pedestrian movement and site identification when organising an event. This needs to be changed for events to allow at least berms to be used.” Barefoot Sport NZ Ltd.
- Accordingly, we have added a footnote to the clause: “However, if used as part of an event and/or if there is enough space to safely position them, the Council will consider permitting them on a case-by-case basis.”
42. Some submitters requested that barriers used outside bars and clubs for queuing be included, and they have been added under the outdoor dining furniture elements.
43. WellingtonNZ suggested reviewing the definition of commercial tours to ensure it is clear as there are many types of tours, for example, “*a Probus Group from the Kapiti Coast who’ve come down for Tulip Week and morning tea at Picnic*”. Accordingly, the definition has now been amended to ensure we are referring only to commercial operators.

- 
44. The New Zealand Prostitutes Collective recognised that while street sex work was not specifically mentioned the Council was urged to use the District Plan and the Prostitution Reform Act 2003 to control the sex industry rather than resorting to options that single out sex workers. Note that the Council's Public Places Bylaw regulates advertising for commercial sex premises and services.
  45. 160 comments agreed that activities should require approval on public land, although some of these had further stipulations such as only high impact activities.
  46. The reasons given for *why* activities should require approval largely fell into the following themes:
    - Any commercial use of public land should require approval.
    - Approval will help improve the quality and regulation of various operations.
    - Approval processes help ensure events and activities have conditions to manage operations safely.
  47. 33 comments stated the activities should not require approval. The majority of these comments were straight "no" answers, but some were themed around avoiding bureaucracy. 12 comments suggested that activities that contribute to vibrancy, wellbeing, and contributed volunteer hours should not require approval.
  48. There were a small number of comments related to the 'Out of scope' section. One submitter highlighted how the clause "*non-commercial or small-scale filming and photography not requiring exclusive access and use of public land*" could apply to other activities that also do not require exclusive access or use of public land, such as mountain biking lessons. However, the clause was only relevant to non-commercial and small-scale photography and filming. This clause has been amended to "*home video-type filming and amateur photography*" to clarify this exclusion.
  49. There were also a small number of comments questioning why begging was excluded from the policy, the policy makes it clear that begging and rough sleeping are excluded as the Council's Te Mahana strategy outlines our collaborative approach to begging in Wellington.

### **C. Accessibility**

#### ***What we proposed***

50. Under the policy, we proposed all activity in public places must ensure that unobstructed accessibility is maintained to recognise that public places are primarily for the enjoyment of all people. We noted the multiple objectives the policy is trying to achieve. We recognised that while activities on footpaths such as outdoor dining and busking adds to the vibrancy and diversity of our city, if they are not managed well, they can create obstructions and hazards.
51. The policy proposed that activities are placed safely and maintain a continuous accessible path of travel (unobstructed footpath through zone). We provided the minimum measurements of this path on various street types, with the absolute minimum set at 1.8m.
52. We also proposed that activity should be located near the kerb of the footpath so that the building line is kept free. This is because it is the main orientation cue used by people who are blind or have low vision. We recognised that positioning some activities, such as retail stands, busking, and outdoor dining, on the kerb side of footpaths may present issues.

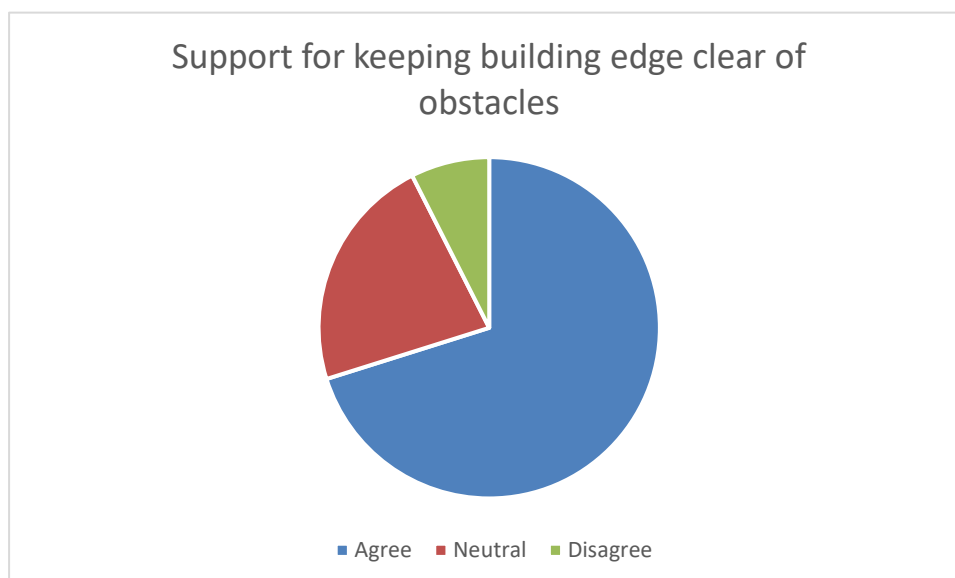
53. We suggested that if an activity is unable to be moved from the building edge, the use of barriers and markers to show the change of the footpath through-zone may assist. But also recognised that this could create further obstacles on footpaths.
54. Through the consultation we sought to gather more information and further explore how we might manage the maintenance of consistent, predictable, and unobstructed pedestrian access on footpaths.

### ***What we asked***

55. Submitters were asked two open-ended questions about what they thought the Council could do to keep footpaths clear for pedestrians and to ensure accessibility of trade and events in all public places, including public reserves and Wellington Town Belt.
56. We met with the Council's Accessibility Advisory Group (AAG) and representatives from various groups from the disability sector both when drafting the proposal and during the consultation period. We are immensely grateful to these groups for their valued time and input.
57. We also asked submitters to rate their level of agreement to whether the building edge on footpaths should remain clear of obstructions to maintain the accessible through route, noting the difficulties this may present for certain activities.

### ***What we heard***

58. 134 submitters responded to the question asking them to rate their level of agreement to keep the building edge clear. As shown in the graph below, 94 (70%) either agreed (43) or strongly agreed (51) with keeping the building edge clear, 30 (22.5%) were neutral, and 10 (7.5%) either disagreed (6) or strongly disagreed (4).
59. The representatives we met from the disability sector advocacy groups and AAG strongly agreed the building edge must remain clear of obstacles.



60. Submitters were generally positive about the proposed accessibility provisions and the early consultation with advocacy groups in the draft policy, feedback included:



- 
- “We acknowledge the consultation throughout the process of developing this proposal and are pleased to see content from those conversations reflected in the document.” CCS.
  - “It appears to us that there has been considerable thought given to the needs of disabled people within this draft policy, particularly when it comes to the needs of people with mobility impairments and blind and low vision people.” Disabled Persons Assembly.
61. Further feedback related to keeping the building edge clear was largely around how this would be managed. Some submitters wanted examples of when it would be inappropriate for activities to be placed kerb side, and some expressed concern that officers would have discretion for when activities could be placed on the building edge.
62. Some submitters questioned the proposal to position activities kerb side, comments included: *“We advocate for making an exception for Newtown, and allowing this to continue. The Suburban footpaths are narrower than those in the city and keeping the displays and seating areas back against the building is the best use of space.”* Newtown Residents’ Association.
- “Buskers, retail stands, and outdoor dining will now be more exposed to weather, which might be difficult to manage as people gravitate towards the building line. Youth Council notes that this might not be an easy shift for people to make, and might lead to more obstructions on all sides of walkways if not managed properly and clearly communicated by Council.”*
- “...this is not always the best outcome for the business; e.g. if cafe chairs, and outdoor retailer displays need to be placed on the kerb side”.*
- “As an older visitor to a cafe I'd prefer the table and seat to be by the cafe...Cafe furniture needs to be near cafes.”*
- “Don't penalise suburban retailers, who contribute to the vibrancy of their communities and where foot traffic volumes are lower than in the CBD, by requiring that retail stands be moved from the building edge.”*
63. In situations where activities are placed kerbside, we recommended: “If deviation of accessible routes is unavoidable, a clear and simple transition should be provided with barriers and/or markers.” Some submitters and stakeholders have recommended that we make it a requirement to provide a clearly delineated “barrier”, and not to use the word, “marker”. This is because markers could mean a variety of things and could also represent a trip hazard.
64. There were 103 suggestions made to keep footpaths clear. These were themed as the following:
- Ban micromobility from footpaths (28).
  - Widen and/or improve footpaths, reallocate parking spaces (20).
  - Use of barriers, markers, paint etc (14).
  - Consistently keep building edge clear and enforce (13).
  - Keep all non-pedestrian activity off footpaths (8).
  - Clearly designate areas that are safe and accessible to be used for commercial activity (7).
  - Raise awareness of accessibility and benefits of being an accessible city (5).
  - Ban sandwich boards (4).
  - Manage waste bins more effectively (4).
65. Examples of the comments received include:

“Keep off the skateboarders, bikes. hoarding cafes and pubs rubbish and let us walk! All of footpath.”

“We’d support the Council if it chose to show some steel and reallocate parking space to make room for café furniture, sandwich boards and cycle parking – and stop encroaching on the scant amount of space that’s available for pedestrians.” Mount Victoria Residents Association.

“Also managing the free recycling pick ups in the city could be spread across 2 days rather than one to minimize the amount of cardboard etc blocking footpaths and driveways”

“E Scooters should not be in the footpath, vehicles should not be able to mount the footpath for parking.”

These comments and suggestions have been forwarded to the relevant Council teams.

66. Some submitters stated the policy did not provide the Council’s intention for how different spaces are prioritised and used. For example:

“This policy presents as an ‘allocation of space mechanism’ for commercial purposes which needs to have that overall vision and direction so that not ALL public space is allocated to commercial or community-led events and there is always space for the public (everyone in general) to be and move through... So if we have a 5 metre footpath (likely on Lambton Quay), at least 80% for example must be available for pedestrian use and not just a 3 metre minimum...” Living Streets Aotearoa (LSA).

67. Some groups have suggested that the Council consult with the disability sector if the accessible through route needs to deviate from the building edge.
68. Feedback related to how we can make activities on reserves and Wellington Town Belt more accessible included the following themes:
- Council managing access and any activity clashes
  - public transport, safety, parking, and conveniences
  - information and education.

### **Our response**

69. This policy sets the direction and priorities for how the Council manages trading and event activities so they are accessible for everyone. With regards to how the Council manages the continuous accessible path of travel, we have set the priorities in this policy but the detail of how this will be implemented will be included in the Wellington Design Manual (WDM). The WDM is currently being drafted and the Project Manager will work with the policy team and the accessibility sector advocacy groups to ensure consistency and alignment with the other strategic urban design and infrastructure documents. We have therefore removed the detailed information about barriers and placement of the accessible path of travel in this policy.
70. The policy has maintained the recommended clearance width to be provided as 1.8m – while recognising that this width is unachievable for some footpaths in Wellington. We have also noted that this minimum width may be wider in *“areas that have high volumes of pedestrian traffic and/or where Council has widened the footpaths to improve the pedestrian experience, such as the Golden Mile.”*
71. The concerns raised about including the Council’s vision and priorities for how public space is prioritised, we have included reference to some key Council documents where

this is set out, such as the “*District Plan, Our City Tomorrow Plan, and Wellington Design Manual*”.

72. Under the ‘Approval process’ section we have added that further engagement may be required with “*advocacy groups, such as stakeholders from the disability sector*” before approval is given.
73. In the ‘Review of approval’ section, we have added that another instance where the Council can cancel, amend, or initiate a review is when “*the use of the area is causing public access to be compromised*”.
74. A specific reference to the CPTED has been included in the ‘Guiding principles’ section: “*Whether the activity protects the public’s health and safety and utilises Crime Prevention Through Environmental Design (CPTED) principles.*” It has also been included in the ‘Approval process’ section, under further information that may be required.
75. With regards to the comments received about providing information about accessibility to operators, we have added, “*The Council’s Accessible Wellington Action Plan sets out the importance of providing information to support disabled people and their families plan accessible journeys through Wellington’s public places. The Council has guidance available to support event organisers make their events accessible for all.*”
76. To help raise awareness of the benefits of improving accessibility, we have added, “*Improving the city’s accessibility will make it more inclusive and help the city remain attractive to residents and visitors of all ages and abilities.*”
77. The information regarding the operational recommendations to improve accessibility has been passed on to the relevant Council teams.

#### **D. Wellington Town Belt and reserve trading and event sites**

##### ***What we proposed***

78. We proposed a new approval framework for licensed trading and event activity on reserves, city parks, and Wellington Town Belt. The intention was to create certainty and make it simpler for operators to carry out low-scale, low-impact activities that have benefits for the reserve/open space and recreation users.
79. The framework involved identifying sites on Wellington Town Belt and reserves where specific low-impact and low-scale activities could occur, and “pre-approving” these. Council officers would then have delegation to assess applications against the policy, and the relevant management plan and legislation. They would then either approve or decline them.

##### ***What we asked***

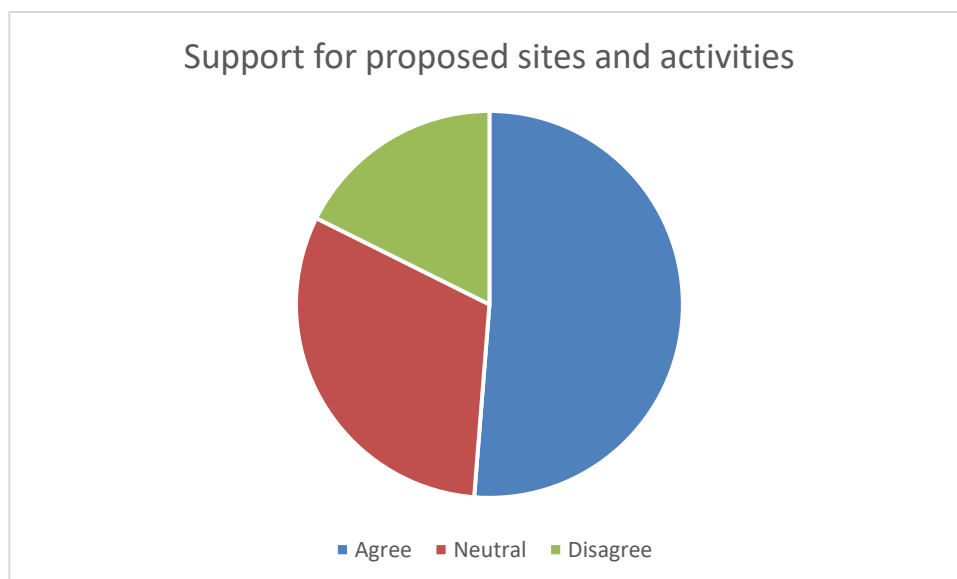
80. We asked submitters how much they agreed or disagreed with the proposed sites and activities. There was also an open-ended question asking if they had anything to add.

##### ***What we heard***

81. 119 submitters answered the question asking them to rate how much they agreed or disagreed with the proposed sites and activities. Of these, 61 (51%) either agreed (49) or strongly agreed (12), 37 (31%) were neutral, and 21 (18%) either disagreed (12) or strongly disagreed (9). Submitters therefore agreed with the proposed sites and activities more than disagreed.



82.



The open text question showed a range of responses and understanding. Some were supportive and some responses illustrated that more clarification was required – these have been themed into the following areas:

- **Why were some sites left out, such as the Waterfront?**

There was a misunderstanding among some submitters about the sites identified in the draft policy: *“The waterfront is another much-loved area of green space that visitors and locals adore”* and *“The TBG submit that the Tawa Plaza area should also be included”*.

Sites not on Wellington Town Belt and reserves, such as the Waterfront and Tawa Plaza, were intentionally excluded from the original policy consultation. The scope of this consultation only included sites located on reserve or Wellington Town Belt land, which aligns with our intention to improve the current approval process for low-scale and low-impact commercial activities on these land types.

- **Are we commercialising the Wellington Town Belt and reserves?**

13 submitters raised concerns about what the Wellington Civic Trust refer to as “commercialisation” of the Town Belt. The Trust also stated that *“The draft also appears to sidestep the statutory consultation impositions of the Wellington Town Belt Act 2016, particularly section 16. Inter alia, other statutory requirements and limitations.”*

We have met our consultation requirements under the Wellington Town Belt Act 2016 and Reserves Act 1977 by publicly consulting on the specific reserve and Wellington Town Belt sites where the identified low-scale and low-impact activities could occur. It is important to clarify that the activities and sites we consulted on were not a blanket approval for activities to go ahead. It is also important to note that some of the activities we are proposing are activities that are already occurring.

- **Are we treating reserves and Wellington Town Belt just like footpaths and road reserves?**

Some submitters expressed concern that by including the Wellington Town Belt and Reserves in the policy, the Council is treating them the same way as footpaths. *“They are not [footpaths]. The Town Belt and reserves each have their own legislation and*

*management plans.*" (Wellington Civic Trust). They called for the Council to remove the Wellington Town Belt from the policy.

This proposed policy recognises the key differences with all the various land types that the Council either owns or manages. Its goal is to develop a customer-focused approach for operators wanting to run low-scale and low-impact activities on Wellington Town Belt and reserve. It is not to treat applications for activities on reserve and Wellington Town Belt the same as we would for a road reserve.

We take pride in being kaitiaki of these precious resources, that is why the only activities we have identified are ones where the impact is low, there is no built infrastructure, they enhance the community's use and enjoyment of the site, and there is compatibility with the core values of each area. Again noting that officers still carry out a **full assessment** of each application against the policy, and relevant legislation and management plan.

- **Why didn't we provide for mobile and transitory-type activities?**

Submitters expressed concerns about how the proposed sites only specified the stationary part of activities and did not allow for transitory or mobile use of reserves: *"Outlined areas in the proposal are too restrictive, eg Makara Peak Makara peak, no provision has been allowed for any other activities outside of the main carpark"*. Wellington MTB Adventures.

In our initial consultation, we only listed the land parcels where the stationary-type or part of the activity would be positioned. For example, we envisaged that for mobile-type activity, such as professional dog walking, the vehicle associated with the activity would be parked on the listed land parcel, but the activity would take place on the adjacent reserve/Wellington Town Belt areas.

However, we think more clarity could be provided. We need to be clear that some activities move around and take place across multiple land parcels, such as mountain bike tours across a whole track network. Conversely, some activities are stationary and therefore will only be based at a specific location, for example, a mobile food cart at a reserve carpark.

83. Some of the sites identified are in the same place or adjacent to heritage listings and Significant Natural Areas (SNAs). Some sites are Sites and Areas Significant to Māori (SASM) as scheduled in the District Plan and therefore require consideration of the intrinsic relationship Mana Whenua has as kaitiaki of these sites and areas. The District Plan sets out the specific provisions to manage the effects of trading and event activities occurring on sites that are identified as SASM, SNA, and/or heritage.
84. After consultation with internal teams, we had added in four new sites to the list as these are areas where small commercial events occur: Cog Park, Kilbirnie Park, Anderson Park, and Appleton Park.

### **Our response**

85. Officers recommend that we carry out further public consultation on the Wellington Town Belt and reserve sites and activities to:
  - clarify which activities will be carried out at each site
  - include four new reserve sites used for commercial activities
  - allow for mobile and transitory-type activities that take place across the track networks
  - further elucidate our rationale for why we are making these proposals
  - further engage with mana whenua about the sites identified as SASM.

86. The consultation document is provided as Attachment three. It is recommended that we carry out a second round of consultation, rather than just working with key stakeholders, to meet our consultation obligations under the Wellington Town Belt Act 2016 and the Reserves Act 1977. We are required to ensure the information we provide is correct so the public can meaningfully engage with it. Because there have been significant clarifications made, it is recommended that additional consultation is carried out.
87. During the consultation we had a Kōrero Mai – Let's Talk page. We provided a map that had functionality for users to drop pins where they would like to see trading and event activities. There were 25 pins dropped and these will be included in officers' assessment of areas in Wellington suitable for trading and event activities not on Wellington Town Belt and reserves. Information about these new trading sites will be provided on the Council's website.

## **E. Supporting trade and event activities in public places**

### ***What we proposed***

88. The proposed policy recognised the value that trading and event activities can bring to our city by making it more vibrant, diverse, inclusive, and safe. To support trade and event activities in our public places we proposed a number of new measures such as increasing and promoting trading and event sites, shortening licence periods to generate more opportunities, and promoting premium busking spots for street performance. We are also aiming to improve the application process.

### ***What we asked***

89. We asked four questions around this area. Submitters were asked:
- ways the Council could provide opportunities to support and grow creative enterprise
  - whether they had concerns about increasing mobile trading sites
  - which trading and event activities they wanted to see more of
  - their views on the balance between commercial/private and public use of public land.

### ***What we heard***

#### *Ways the Council could provide opportunities to support and grow creative enterprise*

90. We identified the following five themes in the responses to this question.
- **Community connections**  
We heard that the community wanted the Council to support opportunities for local and collective activities, as well as get their input into potential activities. The following comments were received:  
  
"Engage with local communities on what we want and have venues and locations expertise and funding available to support this."  
"there is no mention in the policy of any role that a BID or Business Association may have in working with Council with regards to Trading and Events and what might be desirably or undesirable in certain areas"



*“Council could play a part in increasing accessibility for first-time business starters or youth engaging in business activities (such as the Young Enterprise Scheme) by reducing or supporting fees associated with start-ups.” Youth Council.*

- **Information**

Submitters highlighted the importance of providing clear and up-to-date communication of what's required in applications, what opportunities were available, and promoting any new activities. Information needs to be collated in one space, such as our website.

Some submitters requested advanced notice of events and things happening in their communities, for example when trails are used for an event *“so we know not to go there”*. They also emphasised the importance for an ongoing dialogue about new activities: *“Advance notice and liaison with local community groups like Community Hubs and Residents Association.”*

- **Improved process/cost**

A number of submitters stressed the importance of ensuring processes were easy to navigate and access, comments included: *“remove red tape”, “an open approach”, “instant approval”, “Make it easy for small and varied use of public space to encourage people to feel the public places belong to them”, “provide templates”*. Some submitters suggested we avoid high compliance costs.

- **Increase sites**

There were a significant number of submissions calling for the Council to *“identify areas in suburbs that could serve as spaces/temporary hubs for civic activity - including music, trading, consuming food & drink etc. where residents, locals and chance visitors can gather”*. Submitters requested more public spaces for trading and event activities that have services, such as electricity, water, shelter, and public barbeques. Some noted this critically due to the effects of the COVID-19 lockdowns.

Some submissions recommended car-free zones, and more designated spots for food trucks, markets, and music and arts to perform. There was significant support for increasing public trading and event sites.

There were three submissions received that related directly to the Tawa Plaza area: *“The Tawa Plaza area underwent a considerable and costly upgrade a couple years ago with one of the promoted benefits of this work was that it would allow the area to be better utilised for community events and activities that would encourage people to hang out in this space and seating provided. However, this has not materialised as expected and it is still difficult to find out how the space may be booked for events or activities”*. Tawa Community Board.

This information has been passed on to the Council's Tawa Community Centre and events team who are working with the community to increase access to and information about the site.

- **Increased safety, cleanliness, and service provisions**

Some submitters noted that well-maintained amenities were needed near any trading and events sites, such as clean toilets and rubbish bins. A couple of submitters noted that they didn't feel safe in the city. Some submitters suggested that the Council should pedestrianise areas and *“get rid of cars”*. Again issues around public transport and requests for additional carparking came up.

**Our response:**

91. This feedback has been passed on to the relevant business units who will use it when planning activities and working with our communities. The following changes have also been made:
92. Under the 'Approval process' section we have added: "The Council may require proposed trading and event activities to carry out further engagement with any affected parties before approval is given. This includes, without limitation, mana whenua, local community groups, residents' associations, Business Improvement Districts, and advocacy groups, such as stakeholders from the disability sector".
93. Under the 'Fees and charges' section of the policy, fee waivers or discounts may be considered for "events/activities exclusively associated with children/young people under 24 years of age".
94. This policy will direct a website review and information update. Work is currently underway to review and streamline the Council processes under this policy. We are also developing templates and guidance documents to support communities and operators.
95. With regards to the increase of sites, work is underway to identify sites for trading and events activities and the website will be updated accordingly when we have new sites approved.

**What we heard**

*Concerns about increasing mobile trading sites*

96. There were 88 comments about this question. Of these, 41 submitters (46.5%) had no concerns about increasing sites. Only six (7%) submitters stated they did not want the Council to increase sites.

The remaining 41 (46.5%) submitters were happy to increase the sites provided:

- they were well managed, quality, and still accessible (15)
- the effects on natural, heritage environment and waste generation were considered smells/noise concerns (14)
- the effects on established business were considered (11)
- there was community consultation (1).

97. Comments included:

- *"WWM is only concerned if an increase in sites leads to an increase in waste. The trend in waste produced should be decreasing, even as site occupancy increases. The technologies and products to reduce waste are available, but they must be promoted, and regulated". Wellington Waste Managers.*
- *"We are concerned about the generation and dispersal of waste from some activities into environmentally sensitive areas, particularly areas near the coast where waste items will inevitably be blown into the sea. Increased food waste in these areas could also have a negative impact on achieving the objectives of Predator Free Wellington". Environmental Reference Group.*

**Our response**

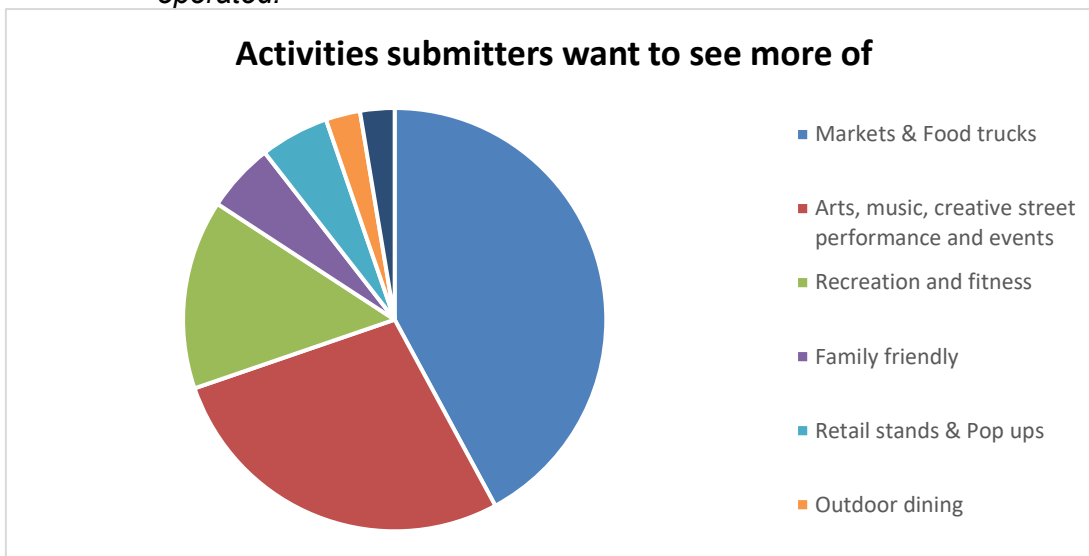
98. In response, the policy's 'Objectives' section has been updated to reflect these concerns and some further restrictions about waste management have been added (as discussed on page 6).

### What we heard

#### *The trading and event activities submitters wanted to see more of*

99. There were 84 responses to this question. 32 submitters (38%) wanted to see more food trucks and/or markets:

- “We would like to see more designated locations for the operating of commercial food trucks.”
- “Celebrate culture and diversity for allowing more food type markets to be operated.”



100. 21 (25%) of the 84 responses want to see more arts, music, cultural events, and quality street performances/busking. 11 submitters want to see more health, fitness, and recreation activities. Four wanted to see more family-friendly activities and four wanted to see more retail stands and “pop up” trading sites, while two wanted more outdoor dining. Two submitters wanted to see more local activity, and two submitters thought what we have is fine.

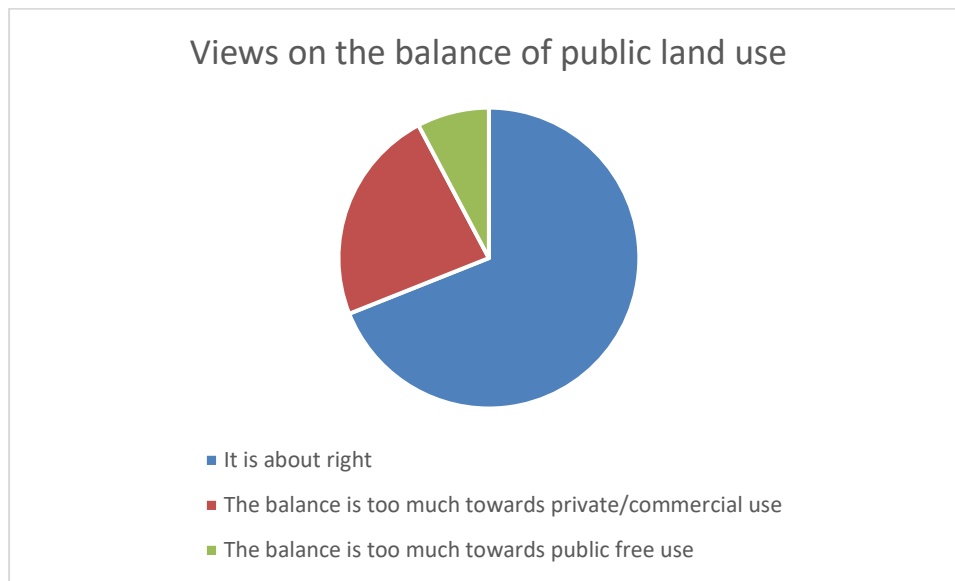
### Our response

101. This information has been passed on to the relevant Council business units. As stated above, work is currently underway to increase trading and event sites in Wellington. In response to the call for more arts, music, cultural events, and quality street performances/busking, the Aho Tini 2030 LTP initiative included funding for the next ten years to facilitate activation of public places as directed by this policy. The funding will be used to deliver programmes in collaboration with the sector to promote vibrancy, safety, creative expression, and inclusiveness of our city’s public places.

#### *The balance between commercial/private and public use of public land*

102. 116 submitters answered this question. Of these 80 (69%) thought the balance of use was about right, 27 (23%) thought the balance was too much towards private/commercial use of public land, and 9 submitters (8%) thought the balance was too much towards the free public use of land.





***Our response***

103. Officers note that the majority of submitters thought the balance between commercial and public use is currently about right which will help guide our decision-making.

**F. Smokefree and vape-free public places**

***What we proposed***

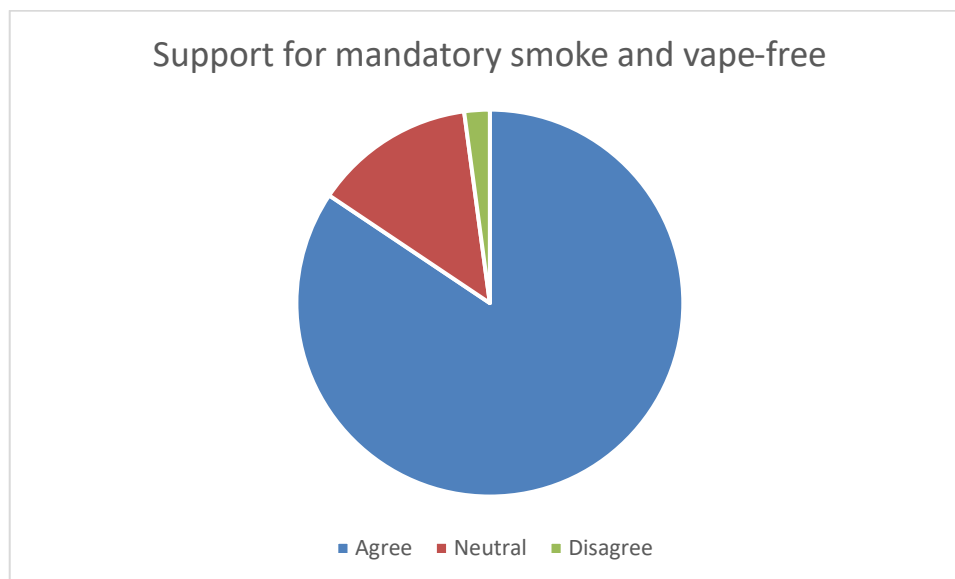
104. We recommended that all approvals issued under the policy are mandatory smokefree and vape-free.

***What we asked***

105. Submitters were asked how much they agreed or disagreed that all licensing under the policy should be mandatory smokefree and vape-free.

***What we heard***

106. 141 submitters answered this question. Of these, 119 (84%) either strongly agreed (92) or agreed (27) that all licensing under the policy should be mandatory smokefree and vape-free, 19 (13%) were neutral, and 3 (2%) either disagreed (2) or strongly disagreed (1).



107. Comments were overwhelmingly supportive of the proposal:

*“Cancer Society Wellington strongly agrees with the proposed measure to make all trading and events approvals in Wellington city mandatory smokefree and vapefree.”*

*“DPA strongly welcomes the proposal to make all trading and events both smoke and vape free. This will be important in helping to preserve the general health and wellbeing of everyone in the Wellington region...Disabled people and people with health conditions are particularly susceptible to the effects of second and third-hand smoke.”*

108. Further comments were around how we could effectively operationalise a smokefree policy, including aspects such as effective and visible signage, and training and education of businesses about Smokefree Aotearoa 2025. The Cancer Society recommended that community events planning reflect the smokefree and vapefree outdoor areas policy in the scheduling, promotion, advertising, and event information. They also stressed the importance that the Council evaluates the impact of the policy position.

### **Our response**

109. Under the Council's current Smokefree Wellington Action Plan, all Council events, sports fields, playgrounds, beaches, and many other areas are already smokefree. The Smoke-Free Environments Act 1990 prohibits smoking in workplaces and certain public areas, but smoking is not illegal. Therefore the policy position will be implemented through a non-regulatory approach aimed at behaviour change and promoting a positive smokefree message. Compliance with the policy will be based on signage, communication, and education. The aim is to make Wellington a healthy place to be, reduce smoking, and support smokers who would like to stop.
110. The policy provides a requirement that the operator designate a contact person for the Council to communicate directly with about smokefree issues and data. This will enable the Council to carry out an evaluation of what is working well.
111. Given the strong support for smokefree and vapefree approvals under this policy, it is recommended that this section of the policy remains the same.

112. Note that officers recommend that this policy does not come into effect until July 2022 so there is time to support operators with the upcoming changes.

### **G. Charity collectors and face-to-face fundraisers**

#### ***What we proposed***

113. There are two types of street appeals: the traditional bucket collection for annual appeals and the face-to-face charity fundraisers. For some members of the public, charity fundraisers are an issue. While they all require a permit from the Council to operate on public land, there is little information provided to the public.
114. Because of these issues, we recommended that information about collection sites and times, rules for collection, code of conduct, and the complaint process be publicly available. We also proposed that all face-to-face charity fundraisers must be a member of the Public Fundraising Regulatory Association (PFRA), which rosters the face-to-face fundraisers, to operate in public places.

#### ***What we asked***

115. Submitters were asked whether there were further measures, other than what we proposed, that are required to regulate face-to-face fundraising or charity collections using public places.

#### ***What we heard***

116. There was a wide range of responses received. Of the 54 submitters who answered this question, 17 agreed with the proposals, 21 agreed and offered further suggestions, seven wanted an outright ban of them (or ban of just the face-to-face fundraisers), and three submitters did not see any issue.

Type of response	Number of submitters
Agreed with what was proposed	17
Agreed and offered further suggestions	21
Ban them	7
No issue with them	3
No clear position	6
<b>TOTAL</b>	<b>54</b>

117. The suggestions submitters gave were largely focused on the face-to-face charity fundraisers.
118. Some submitters thought there should be higher levels of restriction for the face-to-face charity fundraisers over the annual appeals. They thought that the fundraisers should remain stationary and not be allowed to approach or “accost” people. Some submitters thought we should only permit them in certain areas and restrict times. “*Examples of bad locations are narrow footpaths, near to crossings or entranceways*”; “*Limit the ones at the train station*”; and “*Limit to the CBD*”.
119. Some submitters felt that the Council should leave the annual/street appeal collections as they are, but ban the face-to-face fundraisers, comments included:  
*“Ban the ones that harass you on the street but leave the ones that allow people to donate without stopping them.”*



*“In general these are local charities staffed by volunteers. Their collectors stand in suitable locations, passively seeking donations. This has been a commendable approach...the commercialisation of charity collections has seen the arrival of commercial operations using paid collectors who work in teams, use aggressive psychological techniques, and in my view prey on those individuals who they think can be coerced into donations.”*

*“Ban them in the city. They are a reason not to leave mahi and spend money in other businesses because you don't want to get accosted and pressured. Individuals should be free to enjoy public space without being bothered.”*

120. Submitters thought there should be more transparency about fundraisers than what was proposed. For example, the information provided about specific locations, collection times, rules, PFRA, and clarity about where the funds are going. Some submitters suggested that fundraisers wear a Council-endorsed ID. Submitters stated that information should also be provided about the process of how fundraisers are vetted, as well as the contact information and legitimacy of the charity. These submitters thought that all the information, including the complaints form, should be in one easy-to-find place on the Council website.
121. The PFRA submission supports the measures proposed in the policy. Their further recommendations included:
- Allowing collectors to use the building frontage zone to stand at to ensure health and safety and so they do not obstruct the flow of traffic. Additionally, given the fundraisers are not fixed, they can move easily out of the way.
  - Both the PFRA and Council websites should host the information about rules, [code of conduct](#), [complaints process](#) etc. With the Council website linking to the PFRA website for further information about site locations.
  - They support having information about site locations and times that a site is available for use by PFRA fundraisers, but not naming the actual day and name of the charity that is rostered to use that site. They feel that identifying these details may increase the health and safety risk of fundraisers due to members of the public targeting or stalking. Additionally, PFRA has last-minute changes to bookings and use of sites, so the information may not always be correct.

### **Our response**

122. In response, given the majority of comments agreed with what was being proposed with minor suggestions, the recommended changes are:
- To add the following conditions:
    - Collectors and fundraisers must not obstruct or pursue members of the public to solicit a donation or subscription.
    - Collectors and fundraisers are to be clearly identified and display the name of the organisation and the appeal. Face-to-face fundraisers must wear Council approved identification at all times.
    - Pedestrian access is to be maintained at all times.
    - No furniture is to be used in conjunction with the activity.
    - Rubbish is to be kept to a minimum and collection areas must be left clean and tidy.
    - No more than three collectors at any one collection point.
  - We have also added more information in the policy about the information PFRA have available on the website, such as the rules and code of conduct all face-to-

face fundraisers must comply with. It also refers to the complaints process and the penalties that can be imposed.

- The PFRA website hosts an interactive map that shows the approved site locations and the days and times the site can be used by fundraisers. The Council's website will integrate this information with links to the PFRA website.
- We have provided definitions of both face-to-face fundraisers and street appeal collectors.
- We will revise the locations and ensure they are accessible and safe.

#### **H. Other comments about specific activities under the policy**

123. There were a number of free text comments referring to other specific activities or parts of the policy. The Summary of Submissions (Attachment one) details all these additional comments, below is an outline of some main points.

##### *Healthy food and alcohol management*

124. Two submitters were concerned about junk food advertising and availability. "...it could mean the council require at least two healthy eating options available from every cart, or a limit on the time carts are allowed to be at a site". LSA.

125. There were three comments received about safe alcohol management.

*"Our final comment on the proposed Trading and Events in Public Places Policy is ensuring alignment to Wellington City Council's Alcohol Management Strategy. This strategy outlines how alcohol will be managed at events and in public places and is a key document to ensuring alcohol is sold and supplied in a safe way across the city".* Healthy Families, Lower Hutt City Council.

#### ***Our response***

126. We have added the Council's "Alcohol Management Strategy" to the policy for consideration for approval holders selling alcohol under the 'General approval conditions' section.

127. We have passed on the submitters' concerns regarding junk food to the teams who manage food trucks.

##### *Professional dog walking*

128. There was a significant response from professional dog walking operators and community. We met with over ten different operators to hear and respond directly to the concerns raised. In essence, the concerns related to the proposed limit of six dogs and the areas we proposed were not permitted. It was a positive and solutions-focused meeting, and we were extremely grateful for the kōrero.

129. The group was generally supportive of the Council regulating the industry to "support the safe use of public spaces while incentivizing the use of dog walking services that are of a high quality and safety, and that support well trained and well socialized dogs for the benefit of the whole community" [sic]. We're Wolf Walking Wellington Ltd.

130. Some submitters thought that commercial dog trainers that use public places should also be included, which we have done.

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***Our response***

131. The group collectively agreed the way forward was to develop an annual course in partnership that sets out the rules and conditions, while also ensuring that health and safety standards are met.
132. We have removed the specific restrictions proposed and instead the policy requires that professional dog walkers, handlers, and trainers complete the Council's annual registration course before they can obtain approval to operate in public places.

***Busking and street performance***

133. There was concern about how begging and rough sleeping can impact street performers. Feedback supported the premium busking approvals model we proposed as a way to support the quality of street performance. There was support for establishing sites for premium busking approvals which are appropriate, accessible, and in high-foot traffic areas such as Cuba Mall. There was support for performers with these premium busking approvals to pay a modest fee, have an annual licence, have Council ID, and have public liability insurance.

***Commercial group fitness activities, lessons, coaching, and tours***

134. There were a number of submissions received from commercial lessons, coaching, and tour operators who use our open space tracks. We also met with many of these operators to discuss their concerns. Generally, the submissions highlighted concerns that the draft policy didn't cater for their transitory-type use. For example, there were a number of clauses in Schedule B under the 'Specific approval conditions' section: 'Commercial group fitness and commercial tours', which only applied to stationary activities and not to mobile or transitory activities. Such as the specified time limits of 90 minutes and how to manage wear and tear on a specific area. Additionally, as highlighted above, there were concerns related to the identified sites for activities on Wellington Town Belt and reserves because they were only specifying the stationary part of the activity.

***Our response***

135. In response to these concerns we have expanded the title of the section under 'Specific approval conditions' to 'Commercial group fitness activities, lessons, coaching, and tours'. We have also separated the conditions that relate specifically to stationary-type activities from the mobile and transitory-type activities. We have addressed the different types of use of reserves and Wellington Town Belt sites, as outlined in the sections above.
136. Other concerns related to ensuring the policy recognised the value and benefits these operations bring to the city, such as improving "*the health and wellbeing of Wellington residents and/or promotes connection to our natural surroundings*". As outlined above the objectives section has been updated accordingly.
137. Some felt smaller scale tours, lessons, and coaching activities should be charged less than larger operators as their impact is small. We discussed the process for how Council fees are calculated, and how there will be advanced notice of implementation. We reassured the operators that fees for transitory-type commercial use of open spaces will likely be based on the numbers of participants per annum and will therefore be scaled accordingly.
138. Some operators recommended that to improve industry practice, we should require and adventure activity operators to be registered with WorkSafe. Under the Health and Safety at Work Act 2015, as landowner the Council is considered to be a Person



Conducting a Business or Undertaking (PCBU). WorkSafe considers our responsibilities, as landowner, is to seek proof of the operator's current adventure activities registration, as well as ensuring operators are warned of any onsite hazards. The policy has been updated to ensure all activity operators are registered with WorkSafe.

#### *Bulk bins*

139. We sent the Statement of Proposal to all Wellington bulk bin operators. We received two submissions from waste operators. One expressed concern about the proposal that the owner of the bin is required to get Council approval. We have met with the submitter and agreed to continue to work with all Wellington-based operators to develop a practical solution. The policy has been changed to "Council approval is required prior to bulk bins being placed on public land".

### **Kōwhiringa**

#### **Options**

140. The Committee has three options to consider:
- recommend to Council that the Trading and Events in Public Places Policy 2021 is adopted and the current Footpath Management Policy (2007) and Trading in Public Places Policy (2006) are revoked (preferred option), or
  - recommend to Council that the Trading and Events in Public Places Policy 2021 is adopted, with any amendments agreed by Committee, and the current Footpath Management Policy (2007) and Trading in Public Places Policy (2006) are revoked, or
  - do not recommend to Council that the new Trading and Events in Public Places Policy 2021 is adopted. In this case, the current Footpath Management Policy (2007) and Trading in Public Places Policy (2006) will remain the same.

### **Whai whakaaro ki ngā whakataunga**

#### **Considerations for decision-making**

#### **Alignment with Council's strategies and policies**

141. This policy review aligns with the objectives in Aho Tini 2030 – Arts, Culture and Creativity Strategy, the Strategy for Children and Young People, the Economic Development Strategy, the District Plan, and our Long-Term Plan.
142. It also aligns with the Smokefree Wellington Action Plan, Traffic and Parking Bylaw 2021, Accessible Wellington Action Plan, Te Tauihu – Te Reo Māori Policy, and the Solid Waste Management and Minimisation Bylaw 2021.
143. The accessibility guidelines in this policy have been developed in collaboration with the Urban Design and Transport teams. It will be referred to in the drafting of the Wellington Design Manual.

### **Engagement and Consultation**

144. Extensive early engagement was carried out as part of this policy review, this is detailed in the previous [paper to this Committee](#) on 22 June 2021.

145. The proposed policy was created in collaboration with Council staff from the following business units: Street Activities, Policy, Parking Services, Arts and Events, Public Health, Urban Design, Transport Planning, and Parks, Sports and Recreation.
146. Officers also met with representatives from our partners Ngāti Toa Rangatira and Taranaki Whānui to discuss the policy.
147. Issues raised in the consultation were followed up by meeting with several professional dog walking groups, waste management companies, PFRA, and open space tourism, coaching, and adventure organisations.

### **Implications for Māori**

148. The submission Ngāti Toa presented for the Smokefree Wellington Action Plan in 2018/19 has been considered in the development of the smokefree recommendations in the policy. We also consulted with representatives from Takiri Mai te Ata to develop our understanding of the importance of smokefree policies for Māori.
149. The Tira Poutama team have contributed to this policy review and their feedback has been incorporated.
150. We met with representatives from our partners Ngāti Toa Rangatira and Taranaki Whānui to discuss the policy and the proposed reserve and Wellington Town Belt sites. They discussed the importance of aligning any sites identified as SASM with the District Plan. When we carry out further consultation on the Wellington Town Belt and reserve sites we will meet with them again.

### **Financial implications**

151. The proposed Trading and Events in Public Places Policy will provide the principles for fee setting for activities in public places. Fees will be set in alignment with the Council's Revenue and Financing Policy, the Traffic and Parking Bylaw 2021, the Local Government Act 2002, the Parking Pricing Protocol 2021 and, where relevant, the Reserves Act 1977 and the Wellington Town Belt Act 2016. The fees and charges are reviewed annually. Fees for approvals issued under this policy are set in accordance with the Council's Public Places Bylaw.
152. As noted in the policy, the implementation of mandatory smokefree and vape-free licensing will have implications for the previously discounted outdoor dining licence fees.
153. This policy review highlighted how the Council's current processes, information, and systems create barriers to being able to trade, activate, and hold events in our city's public places. The operational goal is to create a straightforward and standardised approval process for outdoor licences to trade, activate, and hold events. This process improvement work will require additional opex funding (\$200k) to resource a full-time Project Manager and Business Analyst for a one-year contract.

### **Legal considerations**

154. Legal advice has been sought regarding the Council's ability to charge fees, license, and enforce activity in public space.
155. As outlined in the paper, legal advice has also been received regarding licence delegations on Wellington Town Belt and reserves.
156. Legislation considered in the drafting of this policy includes (but is not limited to): Local Government Act 1974, Local Government Act 2002, Wellington Town Belt Act 2016,

the Reserves Act 1977, the Sale and Supply of Alcohol Act 2012, the Food Act 2014, and the Health and Safety at Work Act 2015. The proposed policy is consistent with the NZ Bill of Rights Act 1990 and does not affect iwi customary rights.

### **Risks and mitigations**

157. This policy proposal is rated as a minor risk in the Council's risk framework. This policy proposal is rated as a minor risk in the Council's risk framework.

### **Disability and accessibility impact**

158. This policy has an accessibility section to recognise that public places are primarily for the enjoyment of all people in Wellington.
159. AAG, the Senior Accessibility Advisor, and several disability and accessibility advocacy groups have also been engaged throughout the policy review.

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

160. The proposed policy includes requirements to have waste minimisation plans, where relevant. Included in the guiding principles for decision-making is an impact assessment on the surrounding environment and applicants are encouraged to integrate environmentally friendly practices in their operations.

### **Communications Plan**

161. Depending on the outcome of this decision, we will work with the Council's business units to communicate the changes this policy represents.
162. Note that we have recommended the new Trading and Events in Public Places Policy does not come into effect until July 2022 to allow sufficient time to communicate the proposed changes to operators. We will work through our normal channels of communication with our stakeholders.
163. The consultation document for the Wellington Town Belt and reserve sites and activities will be sent to all submitters and Council recreation lease and licence holders. We will also make it available on our website and Kōrero Mai page. To meet our obligations under the legislation, we will also put a notice in the Dominion Post. We will consult from November through to the end of February 2022.

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

164. The policy has set out the responsibilities of operators under the Health and Safety at Work Act 2015. It will be an approval condition of any operator to meet safety, health, and hygiene requirements. We have also added that CPTED principles may need to be considered. Under the proposed policy, operators will be required to take responsibility for public liability insurance requirements.

### **Ngā mahinga e whai ake nei**




#### **Next actions**

165. If approved, there will be further public consultation on the proposed low scale activities on the Wellington Town Belt and reserve sites.
166. If the Committee adopts the proposed integrated policy, relevant material will be prepared for publication.



- 
167. Changes will be communicated to the relevant business units and operators, and appropriate support will be given.
168. The policy will come into effect July 2022, and the current Footpath Management Policy (2007) and Trading in Public Places Policy (2006) will be revoked.
169. The processes that sit under the policy will continue to be reviewed and streamlined.

### **Attachments**

Attachment 1.	Attachment one: Summary of submissions <a href="#">↓</a> 	Page 154
Attachment 2.	Attachment two: Amended Policy and Tracked Changes Policy <a href="#">↓</a> 	Page 224
Attachment 3.	Attachment three: consultation document <a href="#">↓</a> 	Page 286

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# Attachment one: Summary of submissions on the proposed Trading and Events in Public Places Policy

October 2021

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## Part one – Who were the submitters

Consultation was carried out on the Trading and Events in Public Places Policy Statement of Proposal from 7 July to 16 August 2021. A total of 186 submissions were received on the proposed policy.

The majority of submissions (152) were made online. 20 were emailed responses and 14 were paper submission forms received by post. There were 25 pins dropped on our map from eight people illustrating where they wanted to see more trading and event activity.

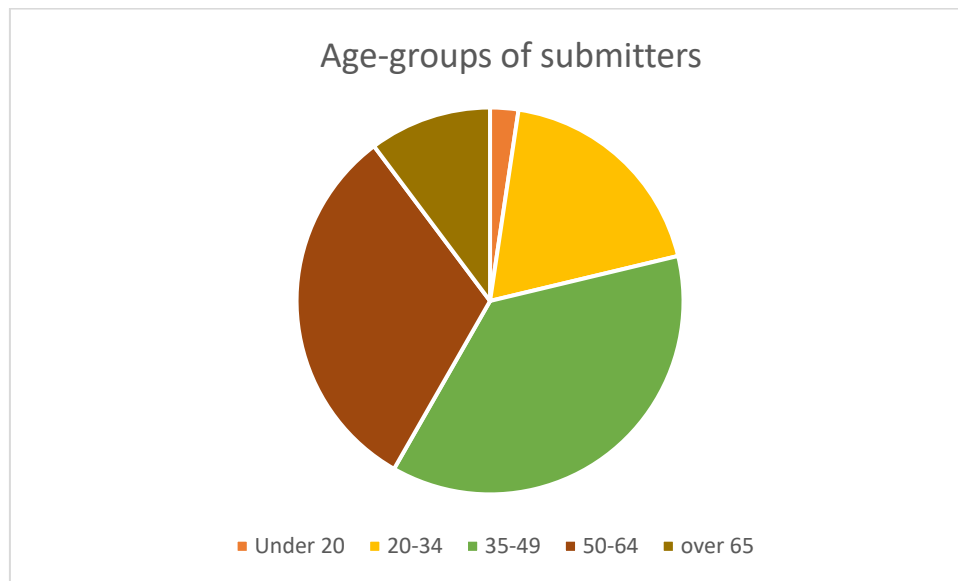
We received 68 submissions from organisations and 118 from individuals. Refer to **Appendix A** for a list of organisations. 33 did an oral submission, of these 9 were individuals and 24 were representing organisations.

In addition, through our social media channels a total of 43,690 people were reached (via their newsfeeds). There was a total of 231 reactions, 27 comments and 173 links were clicked by users. The Facebook posts reached the most people received the most link clicks and comments.

The gender, ethnicity, and age range of submitters (who answered this question) is not representative for the Wellington area (based on 2018 census data). Of the 144 submitters who identified their gender, 77 (53%) of submitters identifying as male, 57 (40%) female, 8 submitters preferred not to say and 2 identified as non-binary/gender diverse. Of the 139 submitters who answered the ethnicity question, 117 identified as NZ European/Pākehā, 6 as Māori, 1 as Chinese, 1 as Indian and 14 as Other (these were self-selected ethnicities).

The following table and graph show the age range of the 127 submitters who answered this question:

Age range	Number of submitters	Percentage
Under 20	3	2.4%
20-34	24	19%
35-49	47	37%
50-64	40	31%
over 65	13	10%



Most submitters lived in Wellington City. Of the 111 submitters who answered this question, 95 live in Wellington City (86%), 14 live in the wider Wellington region and 2 live overseas.

## Part two – Analysis of the submissions

### 2.1 Objectives

#### *What we proposed*

The new policy aims to enable, support, and promote opportunities to trade and hold events in our city's public places. The proposed policy listed the following eight objectives to ensure that trading and events in Wellington's public places:

- encourage vibrancy, diversity, and amenity
- maintain appropriate standards of public health, safety, and accessibility
- promote consistent and predictable access ways on footpaths
- minimise disruption to pedestrians
- protect the urban, heritage, and natural environment
- minimise the effects on private property and existing businesses.

The proposed policy also aimed to:

- ensure that costs are recovered from commercial activity on public land so that it does not create a financial burden on ratepayers
- clearly outline the Council's decision-making and approval process.

#### *What we asked*

Submitters were asked to rate how important each of these objectives were to them. The scale ranged from very important to very unimportant.

They were also asked an open-ended question about whether there was anything else they would like to tell us about the objectives.

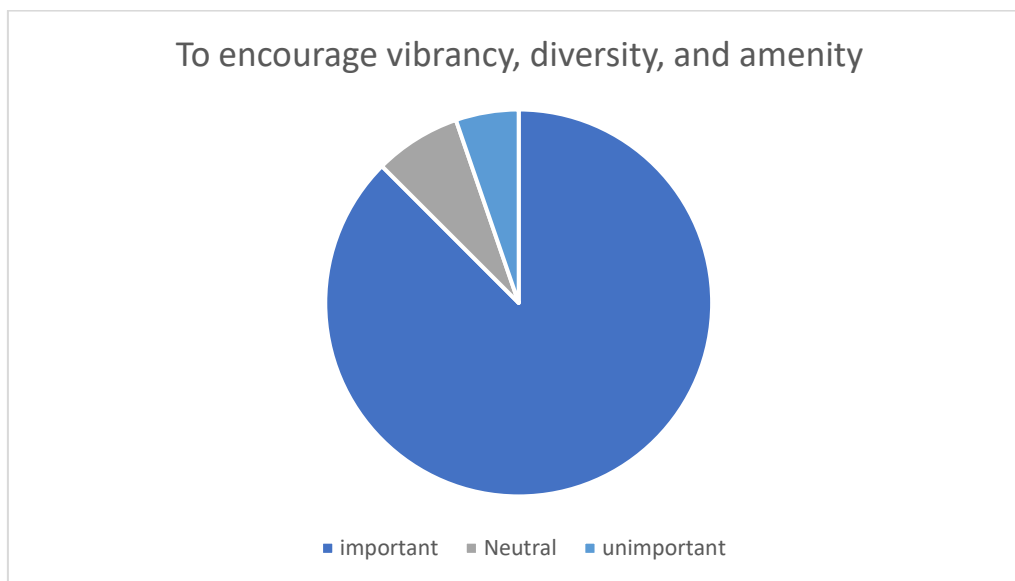
#### *What we heard*

Objective 1: To encourage vibrancy, diversity, and amenity

Proposed objective 1	Very important	Somewhat important	Neutral	Somewhat unimportant	Very unimportant
encourage vibrancy, diversity, and amenity	94	39	11	2	6

152 of the 186 submitters rated this objective. 133 (88%) thought that it was either very important or somewhat important. 11 (7%) were neutral. 8 (5%) thought it was either very unimportant or unimportant.

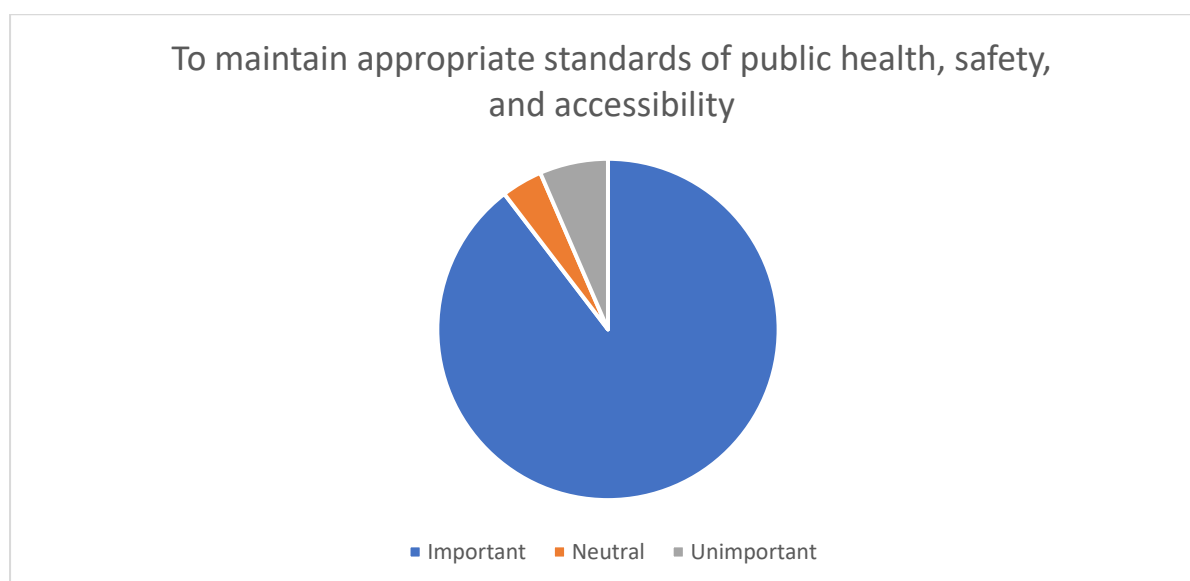




Objective 2: To maintain appropriate standards of public health, safety, and accessibility

Proposed objective 2	Very important	Somewhat important	Neutral	Somewhat unimportant	Very unimportant
maintain appropriate standards of public health, safety, and accessibility	100	38	6	4	6

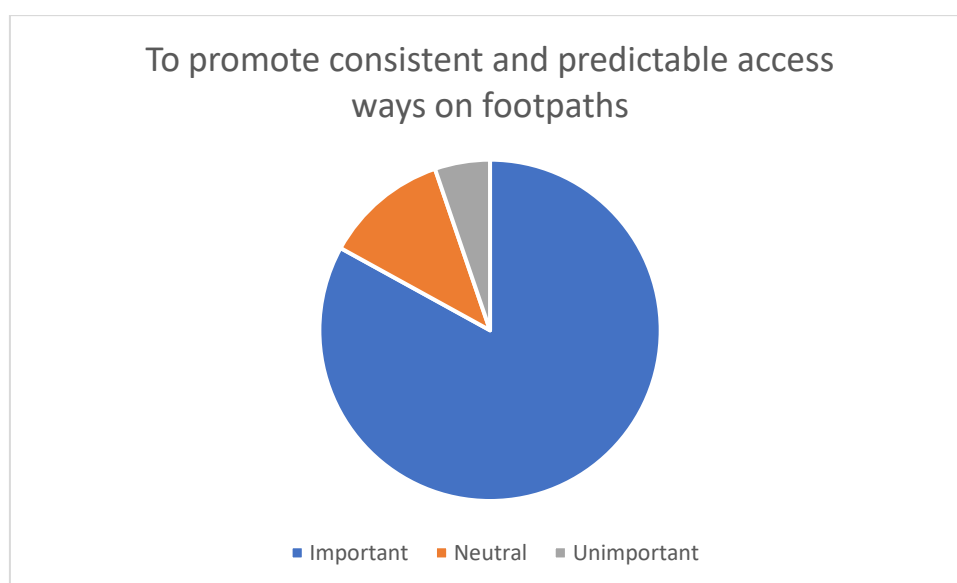
154 submitters rated this objective. 138 (90%) thought that it was either very important or somewhat important. 6 (4%) were neutral. 10 (6%) thought it was either very unimportant or unimportant.



Objective 3: To promote consistent and predictable access ways on footpaths

Proposed objective 3	Very important	Somewhat important	Neutral	Somewhat unimportant	Very unimportant
promote consistent and predictable access ways on footpaths	84	43	18	3	5

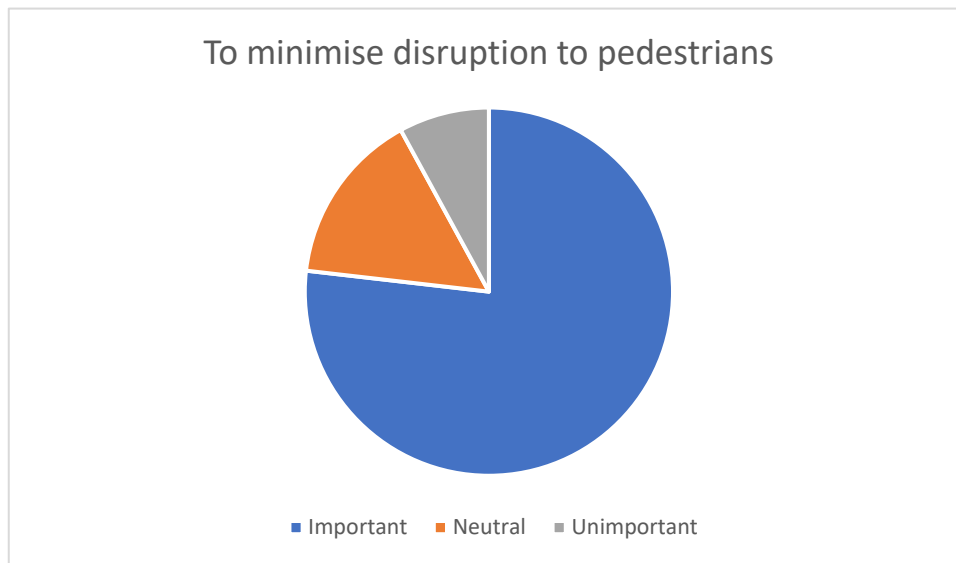
154 submitters rated this third objective. 127 (83%) thought that it was either very important or somewhat important. 18 (12%) were neutral. 8 (5%) thought it was either very unimportant or unimportant.



Objective 4: To minimise disruption to pedestrians

Proposed objective 4	Very important	Somewhat important	Neutral	Somewhat unimportant	Very unimportant
minimise disruption to pedestrians	65	51	23	6	6

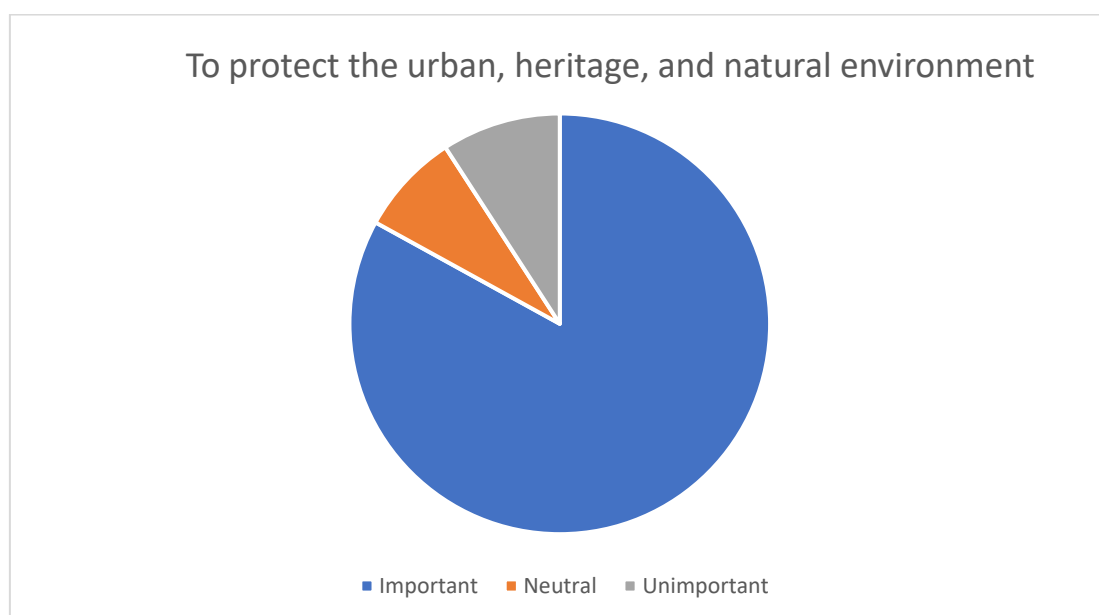
151 submitters rated this fourth objective. 116 (77%) thought that it was either very important or somewhat important. 23 (15%) were neutral. 12 (8%) thought it was either very unimportant or unimportant.



Objective 5: To protect the urban, heritage, and natural environment

Proposed objective 5	Very important	Somewhat important	Neutral	Somewhat unimportant	Very unimportant
protect the urban, heritage, and natural environment	85	42	12	7	7

153 submitters rated this objective. 127 (83%) thought that it was either very important or somewhat important. 12 (8%) were neutral. 14 (9%) thought it was either very unimportant or unimportant.

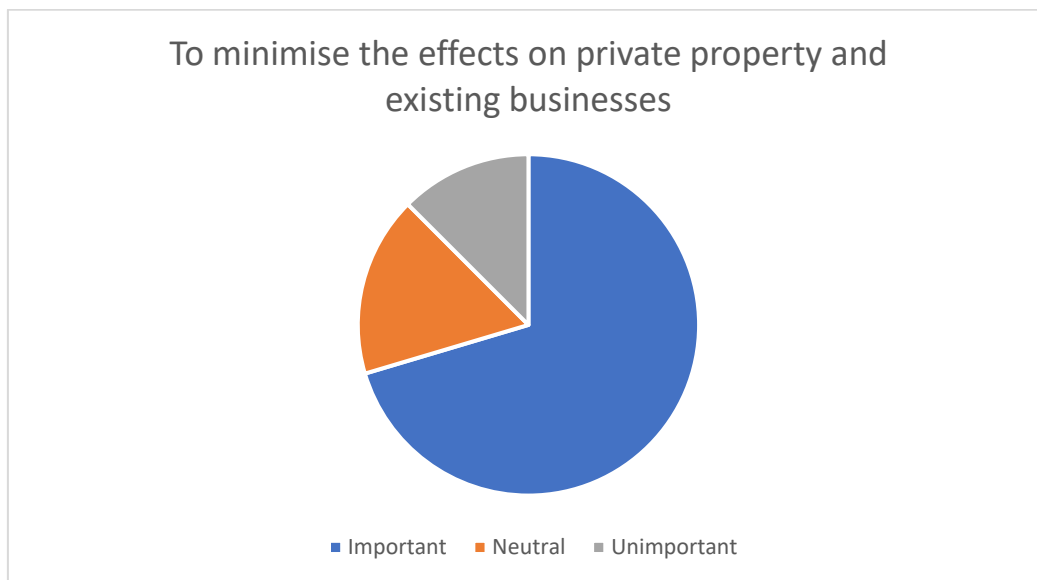




Objective 6: To minimise the effects on private property and existing businesses

Proposed objective 6	Very important	Somewhat important	Neutral	Somewhat unimportant	Very unimportant
minimise the effects on private property and existing businesses	54	53	26	12	7

152 submitters rated this objective. 107 (70%) thought that it was either very important or somewhat important. 26 were neutral. 19 (13%) thought it was either very unimportant or unimportant.

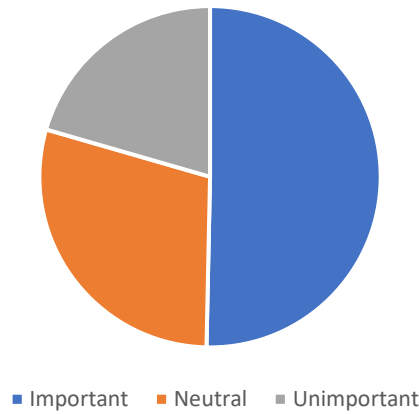


Objective 7: To ensure that costs are recovered from commercial activity on public land

Proposed objective 7	Very important	Somewhat important	Neutral	Somewhat unimportant	Very unimportant
ensure that costs are recovered from commercial activity on public land	30	46	44	20	11

151 submitters rated this objective. Just over half (76, 50.3%) thought that it was either very important or somewhat important. 44 (28.7%) were neutral. 31 (21%) thought it was either very unimportant or unimportant.

To ensure that costs are recovered from  
commercial activity on public land

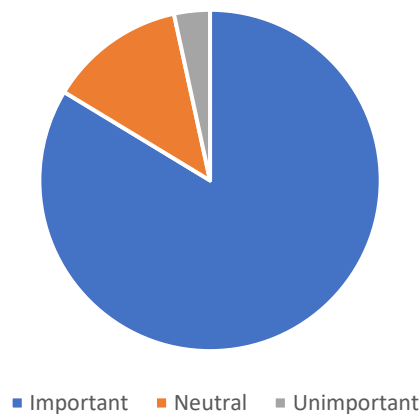


Objective 8: To clearly outline the Council's decision-making and approval process

Proposed objective 8	Very important	Somewhat important	Neutral	Somewhat unimportant	Very unimportant
clearly outline the Council's decision-making and approval process	86	37	19	1	4

147 submitters rated this last objective. 123 (84%) thought that it was either very important or somewhat important. 19 were neutral. 5 (3%) thought it was either very unimportant or unimportant.

To clearly outline the Council's decision-making  
and approval process



### Comments about the objectives

The additional comments about Objectives 1-4 were generally in support of the objectives. A couple of comments stated that disruption to pedestrians was inevitable and balance was to ensure a vibrant and accessible space for all.

*"TBG supports the objective of the Policy, to ensure that that trading and events in public places encourage vibrancy, diversity, and amenity, and in general lead to more attractive places to do business and that attract customers to business districts, especially in the suburban centres."*

There were 17 additional comments received about the Objective: **'protect the urban, heritage, and natural environment.'** These were around the following three themes:

- Protecting the heritage and natural environment should be classed as separate objectives. *"Protecting heritage doesn't mean the natural environment is protected, and there are instances where the natural environment was not thought of when constructing heritage places."*
- Cultural considerations need to be at the forefront of the approval process and should be added to this objective. *"While considerations of the urban, heritage and natural environment remain of high priority, there may be places of cultural significance where nearby events and activities could be inappropriate."*
- A number of submitters thought the most important objective is to protect the natural environment: *"The impact on the environment should be neutral or positive. Activities and events should be required to provide a thorough plan as to how their operation will take steps to reduce its impact on the natural environment which it is operating in."*

There were six comments received about the Objective: **'ensure that costs are recovered from commercial activity on public land'**. Some were about ensuring the Council were clear about the costs being incurred and only charging for those costs, for example:

*"If an activity/entity has no cost to council, and leaves no significant foot-print, and has very real benefits to the community (ie: economic, altruistic, health & well-being, cultural) why is Council charging?"*

Two of the comments were about making sure any concession fees are charged to all activities regardless of the type of entity, for example: *"often, a non-profit entity is favoured over commercial entities, despite most modern non-profit's being very much profit-making in all but legal nicety."*

One submitter discussed how the Council should acknowledge that concession fees could affect different types of activities in various ways. For example:



*"Perhaps regular and one-off activities are treated differently. Eg for vendors at one-off events (events that happen less than once per month) they take an annual concession to operate at any of the WCC venues. Other situations (eg regular markets, weekly events, curb-side daily setups etc) have a different concession system."*

One comment was in support: *"Youth Council supports ensuring that costs are recovered from commercial activity on public land."*

On the whole the additional comments expressed support for all of the objectives. The following themes were expressed which didn't specifically relate to the eight objectives above:

- Ensuring the distinctive Wellington laid back vibe, which "everyone loves" is not lost.
- A significant number of comments called for an objective recognising the value some activities bring to enhancing wellbeing and getting Wellingtonians active and connecting with nature in meaningful ways. Recognising the value that our public spaces represent

#### *Officer's response to the objectives section*

Given the submitters were, on balance, more in support of each objective than not, it is recommended the objectives remain the same, with the following amendments:

We have added "cultural" to the environmental objective and pluralised environment to make clear we mean all the different types of environments. We have also changed "protect" to "actively recognise and support" because it may not be possible for an activity to actively 'protect' a particular environment. We have also added in an objective to recognise the value of people enjoying/recreating in the natural environment.

In response to the calls for better protection of the natural environment through waste minimisation, we have added in further requirements – as discussed in **section 2.5** below.

## **6.2 Policy objectives**

This policy aims to enable, support, and promote opportunities to trade and hold events in our city's public places. The objectives of this policy are to ensure that trading and events in Wellington's public places:

- encourage vibrancy, diversity, and amenity
- maintain appropriate standards of public health, safety, and accessibility
- promote consistent and predictable access ways on footpaths
- minimise disruption to pedestrians
- ~~protect~~ **actively recognise and support** the urban, **cultural**, heritage, and natural environments
- **promote social, cultural, and recreational opportunities in Wellington**
- minimise the effects on private property and existing businesses.

This policy also aims to:

- ensure that costs are recovered from commercial activity on public land ~~so that it does not create a financial burden on ratepayers~~
- clearly outline the Council's decision-making and approval process.

## 2.2 Scope

### *What we proposed*

The scope of the proposed policy is intended to be comprehensive and future-proofed. Activities covered by the policy include, without limitation:

- offering or carrying out commercial or non-commercial goods and services in a public place (including outdoor dining, and markets)
- fundraising for a charitable cause, soliciting of any subscription or collection of any one-off or on-going donation
- distributing and/or displaying promotional goods and materials (including advertising and tasting/sampling activities)
- street performance/busking, including pavement art
- events and filming in public places, such as activations, weddings, protests, parades, festivals, community, and sports events.

### *What we asked*

Three open ended questions were asked about the scope. We asked whether the proposed scope was adequate and whether there are other activities the policy should include. We also asked whether activities such as commercial group fitness, commercial tours, bulk bins, professional dog walking, pavement art, and commercial filming and photography that use public places should require approval. We also asked whether there was anything else they would like to tell us about the policy scope.

### *What we heard*

We received a total of 298 comments related to the scope questions:

Type of comment	Number
The scope is adequate	30
The scope should also cover other activities	49
The listed activities should require approval	65
Only large scale/high impact should require approval	32
The activities should require approval – but streamline processes	19
Activities that contribute to wellbeing, vibrancy and track maintenance shouldn't be included	12
The scope is too broad and covering too many activities	8
The activities shouldn't require approval	33
Specific comments related to professional dog walking	44

Other	6
TOTAL	298

Is the scope adequate and are there other activities the policy should include?

There were 79 comments related to the question about whether there were other activities the proposed scope should cover. Of these 30 thought the scope covered all applicable activities and 49 thought it should also include other activities and considerations.

Of the 30 comments, most were simply in agreeance, however the following themes emerged:

- Support for merging the two policies and the *"forward-thinking aspects"* of the proposed policy; *"allowing these activities can and has seen more vibrancy and this concretes those ideas into council planning which is great."*
- Support for the Council requiring approval for events and activities so that commercial use of public places is managed and balanced.
- Support to regulate commercial operators of micromobility schemes as it will lead to *"more responsible behaviour from e-scooter users in the city"*.

The 49 comments related to additional activities the scope should include:

- promotion of political causes and distribution of political material
- any religious preaching
- bike tours, guided rides, skills and instruction classes/programmes, shuttles, club events
- other dog professionals who use public places, such as for training and grooming
- tour operators to be able to set up a stall selling their tours
- commercial signage, such as advertising hoardings and Adshells
- prohibit *"flyers or anything that could lead to just more mess"*
- community support retail, such as *"selling local music from Wellington artists"*
- barriers used outside bars and clubs for queuing
- commercial demonstrations, for example *"MTB bike vendors offering riders to test bikes and other equipment"*
- educational activities.

Most of these suggestions are already covered by the policy scope. However some suggestions did require the listed activities in the **'Specific approvals'** section to be expanded slightly. For example, we have added dog 'training' to the 'professional dog walking' section. We have also expanded the 'commercial group fitness activities and commercial tours' section to include 'commercial group fitness activities, lessons, coaching, and tours'. With regards to



including barriers used for queuing, they have been added under the outdoor dining furniture elements in the 'Specific approvals' section.

A few of these 49 comments were asking for further clarification of definitions:

- Differentiate between fruit and vegetable markets versus normal commercial markets, because *"vegetable markets should be encouraged"*.
- Some submitters requested that barriers used outside bars and clubs for queuing be included, and they have been added under the outdoor dining furniture elements.
- WellingtonNZ suggested reviewing the definition of commercial tours to ensure it is clear as there are many types of tours, for example, "a Probus Group from the Kapiti Coast who've come down for Tulip Week and morning tea at Picnic". Accordingly, the definition has now been amended to ensure we are referring only to commercial operators.
- The New Zealand Prostitutes Collective recognised that while street sex work was not specifically mentioned the Council was urged to use the District Plan and the Prostitution Reform Act 2003 to control the sex industry rather than resorting to options that single out sex workers. Note that the Council's Public Places Bylaw regulates advertising for commercial sex premises and services.

#### [Should the listed activities require approval?](#)

The second question asking whether activities should require approval and the open-ended question received a mix of responses. 172 comments agreed that activities should require approval on public land. 65 of these thought that the activities should require approval with no further clarifications given. 44 were related to professional dog walking and specific suggestions given to licence conditions. 19 agreed that approval should be obtained as long as it was a streamlined process. 32 comments stated that only activities that had a high impact and were a larger scale should require approval. 12 submitters suggested that activities that contribute to vibrancy, wellbeing, and contributed volunteer hours should not be included. 33 comments stated the activities should not require approval.

Reasons given for requiring approval included:

- Any commercial use of public land should require approval. *"They are businesses that are making money off the use of public land, in and some cases preventing other users from accessing/using those areas."*
- Requiring approval will help the Council improve the quality and regulation of various operations. *"This would ensure that events and activities have conditions and boundaries to operation to ensure that public health and safety is acknowledged and managed."*

Of the 33 comments stating approval should not be required, themes included:

- 18 were simply "no" and "not necessarily" responses.
- Too much bureaucracy may make it more difficult for activity to go ahead.
- Is this an opportunity for the Council to *"double dip from the ratepayers?"*

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Of the 19 comments related to approval being required but the Council needs to streamline the process, the following themes emerged:

- Restrict times and locations to manage public access.
- A public notification system should be set up for approvals.
- Set rules and if activities fall outside of them, approval is required.

The 32 comments relating to only high impact activities needing to require approval included the following themes:

- Approval should only be required for activities that hinder other's access and impact on the space.
- Things with minimal impact and a short-time frame, such as student and small-scale non-commercial projects, should not require approval.

The 12 comments suggested that the following types of activities shouldn't require approval:

- Exclude activities promoting health and exercise from requiring permission.
- Activities that contribute to vibrancy.
- Activities that benefit the community.

Of the eight comments related to the scope being too broad were largely about the policy scope attempts to link inner city activities with those in parks and reserves. *"Both of which require vastly different approaches as the activities, impacts, exclusivity and scale are all so fundamentally different they shouldn't be in the one policy."* Some submitters thought this showed a lack of consultation.

The 44 comments related to professional dog walking are addressed in the specific approval conditions under section 3.8 of this paper.

#### Out of scope section

There were a small number of comments related to the 'Out of scope' section. Largely the comments were recommending that small-scale businesses with minimal impact should be considered out of scope. One submitter highlighted how the clause "non-commercial or small-scale filming and photography not requiring exclusive access and use of public land" could apply to other activities that also do not require exclusive access or use of public land, such as mountain biking lessons. However, the clause was only relevant to non-commercial and small-scale photography and filming and therefore the last part of the sentence will be removed to avoid this confusion.

There were also a small number of comments questioning why begging was excluded from the policy. The policy makes it clear that begging and rough sleeping are excluded as the Council's Te Mahana strategy outlines our collaborative approach to begging in Wellington.

With regards to a submitter's recommendation that commercial signage such as Adshells be covered by the policy. All commercial and temporary signage, except sandwich boards, are provided for in the District Plan signage chapter which is currently in draft. This clarification has been added as a footnote.

A submitter also questioned why car share schemes were out of scope of this policy. They are managed by contractual arrangements, but are still required to comply with all Council policies. For clarity we have added in the footnote: "Note that the contracts include a requirement for compliance with all Council Bylaws, plans, and policies."

A submitter expressed concern about the proposed ban of flags on footpaths and berms under the 'Restricted activities' section, *"This is often a key way to identify safety aspects and direction for events. It also demonstrates a professional event and links to professional partners. A blanket ban makes it very difficult to manage things like parking, pedestrian movement and site identification when organising an event. This needs to be changed for events to allow at least berms to be used."* Barefoot Sport NZ Ltd.

Accordingly, we have added a footnote to the clause: "However, if used as part of an event and/or if there is enough space to safely position them, the Council will consider permitting them on a case-by-case basis."

#### *Officer's response*

To recognise the comments relating to all commercial use should require approval because of the value of public land we have added a sentence capturing this sentiment in the policy's 'Purpose' section: "This policy requires anyone wanting to undertake a trading or event activity on public land to obtain approval from the Council, recognising that it is a privilege to conduct commercial activities on public land."

With regards to ensuring streamlined processes, during this review officers have highlighted the various process improvements that are required. Consequently, officers are recommending initial resource investment to identify and implement the process improvement work required. It is also recommended that this policy does not take effect until July 2022 to support the new process implementation.

The 'Out of scope' section will be amended as follows:

#### *6.3.2 Out of scope*

Activities that are out of scope of the policy include:

- commercial signage<sup>1</sup>
- car share schemes, as these are managed under contractual arrangements<sup>2</sup>
- home video-type filming and amateur photography ~~non-commercial or small-scale filming and photography not requiring exclusive access and use of public land~~

<sup>1</sup> Signage rules are provided in the District Plan. For the avoidance of doubt, sandwich boards are provided for in this policy.

<sup>2</sup> Note that the contracts include a requirement for compliance with all Council Bylaws, plans, and policies.



- begging **and rough sleeping**, as the Council's Te Mahana strategy outlines our collaborative approach to begging in Wellington
- trading and event activity occurring on private land or land managed by other entities.

## 2.3 Accessibility

### *What we proposed*

Under the proposed policy, all activity in public places must ensure that unobstructed accessibility is maintained to recognise that public places are primarily for the enjoyment of all people in Wellington. We proposed that activities on footpaths must maintain a continuous accessible path of travel (unobstructed footpath through zone) and provided the minimum measurements of this path on various street types, with the absolute minimum set at 1.8m.

We also proposed that activity should be located near the kerb side of the footpath so that the building line is kept free. This is because it is the main orientation cue used by people who are blind or have low vision. We recognised that positioning some activities, such as retail stands, busking, and outdoor dining, on the kerb side of footpaths may present issues.

We suggested that if activity is unable to be moved from the building edge, the use of barriers and markers to show the change of the footpath through-zone may assist. But also recognised that this could create further obstacles on footpaths.

Through the consultation we sought to gather more information and further explore how we might manage the maintenance of consistent, predictable, and unobstructed pedestrian access on footpaths.

### *What we asked*

Submitters were asked two open-ended questions about what they thought the Council could do to keep footpaths clear for pedestrians and to ensure accessibility of trade and events in all public places, including public reserves and Wellington Town Belt. We also met with representatives from various groups from the disability sector both when drafting proposal and during the consultation period.

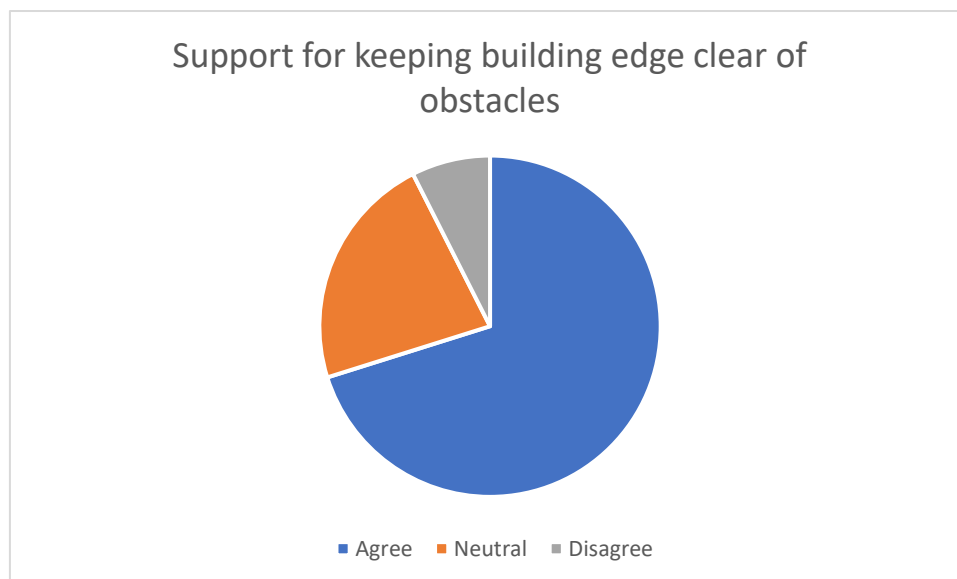
We also asked submitters to rate their level of agreement to whether the building edge on footpaths should remain clear of obstructions to maintain the accessible through route.

### *What we heard*

#### *Keeping building edge clear*

134 submitters responded to the question asking them to rate their level of agreement to keep the building edge clear. As shown in the graph below, 94 (70%) either agreed (43) or strongly agreed (51) with keeping building edge clear, 30 were neutral, and 10 (7%) either disagreed (6) or strongly disagreed (4).

The representatives from the disability sector advocacy groups strongly agreed the building edge must remain clear of obstacles.



Generally submitters were positive about the proposed accessibility provisions and the early consultation with advocacy groups in the draft policy. Some examples of supportive feedback included:

- *"We acknowledge the consultation throughout the process of developing this proposal and are pleased to see content from those conversations reflected in the document."* CCS
- *"It appears to us that there has been considerable thought given to the needs of disabled people within this draft policy, particularly when it comes to the needs of people with mobility impairments and blind and low vision people."* Disabled Persons Assembly

Further feedback related to keeping the building edge clear was largely around how this would be managed. The policy proposed that:

Council officers will consider applications for activities provided directly outside the building where it is inappropriate to situate activities near the kerb side. If deviation of accessible routes is unavoidable, a clear and simple transition should be provided with barriers and markers.

Some submitters wanted examples of when it would be inappropriate for activities to be placed kerb side, and some expressed concern that officers would have discretion for when activities could be placed on the building edge. *"This policy allows discretion for staff to decide location of activities next to buildings if it is inappropriate to site them on the kerb-side as is better for all pedestrians. This has led to the current situation where much of the verandah along Courtenay Place for example is occupied by chairs and tables and there is an often very narrow path to navigate for pedestrians. We recommend that an exemption for non-kerbside activity in unusual situations (not BAU) would be better than suggesting sub-optimum siting can be considered if alternatives are inappropriate."*

In situations where deviation of routes is unavoidable, we have recommended that a transition *should* be provided. Some submitters and stakeholders have recommended that we make it a requirement to provide a clearly delineated “barrier”, and not to use the word, “marker”. This is because markers could mean a variety of things and could also represent a trip hazard. Some groups have suggested that the Council consult with the disability sector if the accessible through route needs to be deviated from the building edge.

Some submitters expressed concern with the proposal to position activities kerb side. An example of some of the comments:

*"We advocate for making an exception for Newtown, and allowing this to continue. The Suburban footpaths are narrower than those in the city and keeping the displays and seating areas back against the building is the best use of space." Newtown Residents Association.*

*"Buskers, retail stands, and outdoor dining will now be more exposed to weather, which might be difficult to manage as people gravitate towards the building line. Youth Council notes that this might not be an easy shift for people to make, and might lead to more obstructions on all sides of walkways if not managed properly and clearly communicated by Council."*

*"...this is not always the best outcome for the business; e.g. if cafe chairs, and outdoor retailer displays need to be placed on the kerb side".*

*"As an older visitor to a cafe I'd prefer the table and seat to be by the cafe...Cafe furniture needs to be near cafes."*

*"Don't penalise suburban retailers, who contribute to the vibrancy of their communities and where foot traffic volumes are lower than in the CBD, by requiring that retail stands be moved from the building edge."*

Some submitters stated the policy did not provide the Council's intention for how different spaces are prioritised and used. Some submitters wanted to see more Council commitment to pedestrian priority and accessibility of public spaces in the policy. For example, below is an excerpt from LSA's submission – a sentiment shared by some other submitters:

*"This policy presents as an 'allocation of space mechanism' for commercial purposes which needs to have that overall vision and direction so that not ALL public space is allocated to commercial or community-led events and there is always space for the public (everyone in general) to be and move through. This policy needs to support people to be in public spaces without paying to sit outside, or be required to purchase other services ... So if we have a 5 metre footpath (likely on Lambton Quay), at least 80% for example must be available for pedestrian use and not just a 3 metre minimum..." Living Streets Aotearoa (LSA).*

*"Factor sufficient space into new building consent processes. You can't do much with older streets that are narrow but you can ensure bins, trees, planters, benches and other permanent fixtures are all in a line. For new builds there needs to be enough space for*



*parking immediately outside (even if this is only a delivery zoned park) and enough space for the aforementioned fixtures."*

*"The footpath width is random in most situations based on historical provision and is not often determined by the number (not volume) of pedestrians. Once again suggesting that narrower paths might be acceptable removes the presumption for pedestrian priority. Minimum space should apply to all activities including sandwich boards etc."*

There were 98 suggestions made to keep footpaths clear. These were themed as the following:

- Ban micromobility from footpaths (28).
- Widen and/or improve footpaths, reallocate parking spaces (20).
- Use of barriers, markers, paint etc (14).
- Consistently keep building edge clear and enforce (13).
- Keep all non-pedestrian activity off footpaths (8).
- Clearly designate areas that are safe and accessible to be used for commercial activity (7).
- Raise awareness of accessibility and benefits of being an accessible city (5).
- Ban sandwich boards (4).
- Manage waste bins more effectively (4).

Examples of the comments received include:

*"Keep off the skateboarders, bikes. hoarding cafes and pubs rubbish and let us walk! All of footpath."*

*"Keep frontages clear at all times. Reallocate carpark space for street furniture and cycle parking!!"*

*"We'd support the Council if it chose to show some steel and reallocate parking space to make room for café furniture, sandwich boards and cycle parking – and stop encroaching on the scant amount of space that's available for pedestrians."* Mount Victoria Residents Association.

*"Also managing the free recycling pick ups in the city could be spread across 2 days rather than one to minimize the amount of cardboard etc blocking footpaths and driveways"*

*"E Scooters should not be in the footpath, vehicles should not be able to mount the footpath for parking."*

There were a couple of comments received stating the footpath zone diagram did not realistically reflect Wellington's streets: *"The illustration in the submission form is gorgeous, but it doesn't represent the current state of footpaths in Wellington. Is it meant to represent what we're aiming for?? If so, we welcome the aspiration."* MVRA. Accordingly we have updated the diagram to more adequately reflect the Council's aspirations and direction for footpaths.

Accessibility of all public places including reserves and Wgtn Town Belt

Feedback related to how we can make activities on reserves and Wellington Town Belt more accessible included the following themes:

- **Council managing access and any activity clashes**

Submitters recommended that the Council effectively manage and monitor activities so they are safe and accessible. For example, maintain accessible entries, exits, quiet spaces, signage, and toilets for activities and events so they are accessible for the whole community – including the provision of wheelchair, pram, and assistance-animal access. Some submitters recognised the role the Council plays in managing activities to minimise clashes.

*"Make all sites wheel accessible as much as possible – so more ramps. At festivals still maintain this".* Wellington Waste Managers.

- **Public transport, safety, parking, and conveniences**

Submitters comments included keeping safety and principles of crime prevention through design at the fore. Ensuring that the services and conveniences that the Council provides are accessible, safe, and clean. Some commented that some tracks in open spaces could be wider. Other comments included making sure parking and safe public transport were available, and a designated area for pick-up and drop-offs to increase safety and access.

*"Council needs to keep safety, principles of crime prevention through design and line-of-sight for the general public as guides...there is no one-size-fits-all answer".* Citizens' Advice Bureau.

- **Information and education**

Comments under this theme included making sure that events were advertised through the Council and information supplied so that people can plan ahead. Some suggested that the Council raise awareness about the importance of ensuring accessibility and being inclusive. Some recommended that the Council provide guidelines and rules to promote accessibility.

*"Wellington City Council should also invest in education and awareness raising about the importance of accessible environments for people who are blind, deafblind, or have low vision, have other disabilities, or have other access needs."* Blind Low Vision New Zealand.

#### *Officer's response*

This policy sets the direction and priorities for how the Council manages trading and event activities so they are accessible for everyone. With regards to how the Council manages the continuous accessible path of travel, we have set the priorities in this policy but the detail of how this will be implemented will be included in the Wellington Design Manual (WDM). The WDM is currently being drafted and the Project Manager will work with the policy team and the accessibility sector advocacy groups to ensure consistency and alignment with the other strategic urban design and infrastructure documents. We have therefore removed the detailed information about barriers and placement of the accessible path of travel in this policy.

The policy has maintained the recommended clearance width to be provided as 1.8m – while recognising that this width is unachievable for some footpaths in Wellington. We have also noted that this minimum width may be wider in "areas that have high volumes of pedestrian traffic"

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and/or where Council has widened the footpaths to improve the pedestrian experience, such as the Golden Mile.”

The concerns raised about including the Council’s vision and priorities for how public space is prioritised, we have included reference to some key Council documents where this is set out, such as the “District Plan, Our City Tomorrow Plan, and Wellington Design Manual”.

Under the ‘Approval process’ section we have added that further engagement may be required with “advocacy groups, such as stakeholders from the disability sector” before approval is given.

In response to the call for more Council commitment to pedestrian priority and accessibility of public space, in the ‘Review of approval’ section, we have added that another instance where the Council can cancel, amend, or initiate a review: when “the use of the area is causing public access to be compromised”.

A specific reference to the CPTED has been included in the ‘Guiding principles’ section: “Whether the activity protects the public’s health and safety and utilises Crime Prevention Through Environmental Design (CPTED) principles.” It has also been included in the ‘Approval process’ section, under further information that may be required: “health, safety, and wellbeing plan, including an incorporation of Crime Prevention Through Environmental Design (CPTED) principles”.

With regards to the comments received about providing information about accessibility to operators, we have added, “The Council’s Accessible Wellington Action Plan sets out the importance of providing information to support disabled people and their families plan accessible journeys through Wellington’s public places. The Council has guidance available to support event organisers make their events accessible for all.”

To help raise awareness of the benefits of improving accessibility, we have added, “Improving the city’s accessibility will make it more inclusive and help the city remain attractive to residents and visitors of all ages and abilities.”

The information regarding the operational recommendations to improve accessibility has been passed on to the relevant Council teams.

## 2.4 Proposed reserve and Wellington Town Belt sites

### *What we proposed*

The Council’s current delegations and reserve/Wellington Town Belt management plans require all commercial activities (such as large one-off events or concessions for six months or more) on reserves and Wellington Town Belt to be approved by the Council (or a delegated Committee) and be subject to public consultation. Officers have no delegation to approve these types of activities, which can result in a drawn-out process. This longer process can add cost, through delays and uncertainty, which can act as a disincentive to operators.

We proposed a new approval framework for licensed trading and event activity on reserves and Wellington Town Belt, which meets legislative requirements. The Statement of Proposal set out 32

sites and particular activities that officers assessed against the provisions in the relevant management plan and the guiding principles in the proposed policy. The activities proposed were low-scale and low-impact, and did not involve any built structures (see **Schedule A** for the full list of sites and activities that were proposed). The Committee gave approval for us to publicly consult on these proposed sites and activities.

The intention was to take a customer-focused approach, creating certainty and making it simpler for operators to carry out low-scale, low-impact activities that have benefits for the reserve/open space, and the recreation users. It was not a blanket approval or “free-for-all” license to open the reserves and Wellington Town Belt to any kind of commercial activity. Each application to carry out trading and event activity at the ‘pre-approved’ sites would still require assessment by officers. If the activity was one of the listed pre-approved activities at the identified sites, officers would have delegation to approve (or not) the activity.

Applications for any of the identified “pre-approved” activities on Wellington Town Belt have slightly different requirements. Each individual licence would still require approval by the Council or delegated committee.

Any applications that were not listed on the “pre-approved” sites or activities and did not meet the criteria set out in the policy and/or management plan would still require committee approval and public consultation.

Sites not on reserve or Wellington Town Belt were not identified as part of this consultation process because they are not subject to the same legislative requirements and delegations.

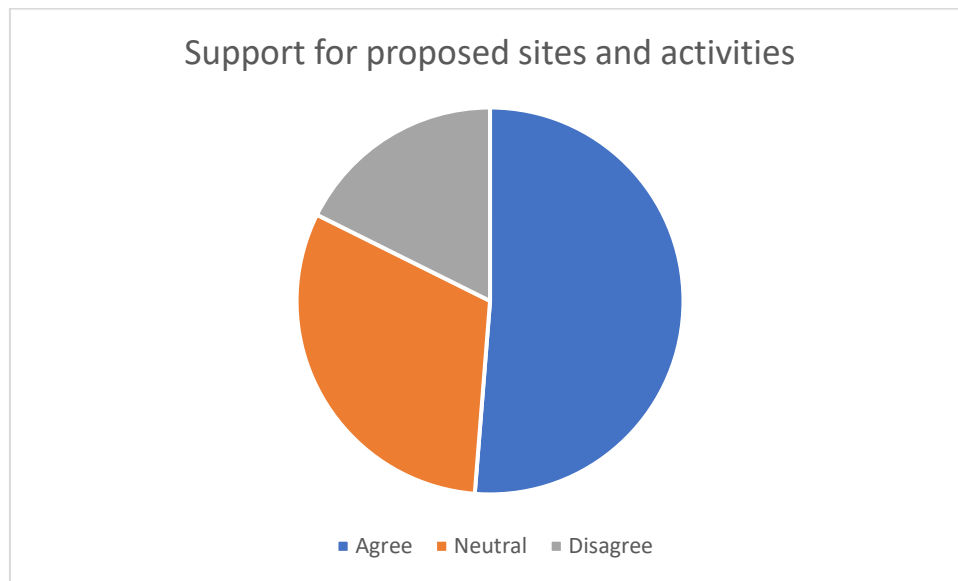
#### *What we asked*

Submitters were asked how much they agreed or disagreed with the proposed sites and activities. They were also asked an open-ended question asking if they had anything to add about them.

#### *What we heard*

119 submitters answered the question asking them to rate how much they agree or disagreed with the proposed sites and activities. Of these, 61 (51%) either agreed (49) or strongly agreed (12), 37 were neutral, and 21 (18%) either disagreed (12) or strongly disagreed (9).





The open text question showed a range of responses and understanding.

#### Support for process

There were a number of comments in support of the proposal, these included:

*"Overall, this is a clearer process than it is now. Great if the application can avoid waiting to get on the agenda of a Council Committee which is a barrier at present."*

*"I believe those who originally created the Town Belt intended it to be a lively and varied recreational set of spaces for uses much as now proposed."*

Some responses illustrated that more clarification was required – these have been themed into the following areas:

#### Clarity about why some sites were left out of the proposal

There was some misunderstanding among some submitters about why some sites were not included in the Schedules of the Statement of Proposal:

*"Firstly, we wonder why Waitangi Park isn't in this plan? The waterfront is another much-loved area of green space that visitors and locals adore. We've never understood why the public are regularly prohibited from accessing it, in order to host one-off events that could be accommodated elsewhere."*

*"The policy proposes to promote a list of pre-approved sites for trading and events. Currently there is only one such location proposed in the suburb of Tawa – that of Grasslees Reserve. The TBG submit that the Tawa Plaza area should also be included in the areas promoted as a location where certain trading and community activities ... may be undertaken with the minimal of effort in compliance and regulation."*

Sites not on Wellington Town Belt and reserves, such as the Waterfront and Tawa Plaza, were intentionally excluded from the original policy consultation. The scope of this consultation only included sites located on reserve or Wellington Town Belt land, which aligns with our intention to improve the current approval process for low-scale and low-impact commercial activities on these land types.

The Wellington Civic Trust states that the policy says, *"that the list of sites on the Town Belt is being worked through and will be updated..."*. *Where? Somewhere? In other words Council proposed to give itself the power to delegate (contrary to the Act), commercial use and charging on the Town Belt on specified sites and unspecified sites. That is outrageous.*" Note that the policy did not state this – it said "Note that the list of sites not on reserve and/or Wellington Town Belt only includes five sites, but this is still being worked through and will be updated" [emphasis added].

As detailed in the original Statement of Proposal, officers will identify sites not on the Wellington Town Belt and reserves that are suitable for trading and event activities. The selection of these sites will be based on a review of the feedback we received as part of the policy consultation and the engagement with the public on the Let's Talk page (where pins were dropped on sites where people wanted to see more trade and activity). Any potential sites will be assessed against the policy and information about them will be made available on our website.

### Commercialising concerns

13 submitters raised concerns to what they refer to as *"commercialisation"* of the Wellington Town Belt and reserves, referring to it as *"another form of alienation of the land and of creating privileged use"*. The Wellington Civic Trust pointed out that, *"while the concessions as proposed are not entirely selling they do give a company a special right or **privilege** to operate a specific business on our open space recreation land."* They add, *"concessions all too easily turn into **property rights** and **an exclusivity**."* [emphasis – author's own]. They detail their concerns further, stating that the Council *"wants to turn our most precious natural environment, the Town Belt into an amusement park so that the City can "revitalised"...there will be nothing stopping a Homegrown music festival, Beervana and a host of "vibrant" activities attacking the natural environment, in pursuit of the mighty dollar."*

The Wellington Botanical Society expressly does not support the *"commercialisation for any period, no matter how brief, nor the closure, no matter how brief, of any tracks in the Town Belt and the above Scenic Reserves and Recreation Reserves"*

*"The draft also appears to sidestep the statutory consultation impositions of the Wellington Town Belt Act 2016, particularly section 16. Inter alia, other statutory requirements and limitations."*

We have met our consultation requirements under the Wellington Town Belt Act 2016 and Reserves Act 1977 by identifying the specific reserve and Wellington Town Belt sites where the identified low-scale and low-impact activities could occur. It is important to clarify that the activities and sites we consulted on were not a blanket approval for activities to go ahead. It is also

important to note that some of the activities we are proposing are activities that are already occurring. **All applications still require a full impact and benefit assessment** by officers against the policy, the management plans, the legislation, and any other relevant Council bylaws, plans, or policies. As noted above, activities on the Wellington Town Belt still require committee approval for each individual licence under section 17 of the Wellington Town Belt Act 2016.

#### [Treating reserves and Wellington Town Belt “just like footpaths”](#)

Some submitters expressed concern that by including the Wellington Town Belt and Reserves in the policy, the Council is treating them the same way as footpaths. *“They are not [footpaths]. The Town Belt and reserves each have their own legislation and management plans.”* (Wellington Civic Trust). They called for the Council to remove the Wellington Town Belt from the policy.

This proposed policy recognises the key differences with all the various land types that the Council either owns or manages. Its goal is to develop a customer-focused approach for operators wanting to run low-scale and low-impact activities on Wellington Town Belt and reserve. It is not to treat applications for activities on reserve and Wellington Town Belt the same as we would for a road reserve.

We take pride in being kaitiaki of these precious resources, that is why the only activities we have identified are ones where the impact is low, there is no built infrastructure, they enhance the community’s use and enjoyment of the site, and there is compatibility with the core values of each area. Again noting that officers still carry out a full assessment of each application against the policy, and relevant legislation and management plan.

#### [Providing for transitory and mobile activities](#)

In our initial consultation, we only listed the land parcels where the stationary-type or part of the activity would be positioned. For example, we envisaged that for mobile-type activity, such as professional dog walking, the vehicle associated with the activity would be parked on the listed land parcel, but the activity would take place on the adjacent reserve/Wellington Town Belt areas.

However, as submitters noted, this does not provide for transitory or mobile use of Wellington Town Belt or reserves:

*“Outlined areas in the proposal are too restrictive, eg Makara peak, no provision has been allowed for any other activities outside of the main carpark. Any Allowance for multiple sites to be accessed during any 1 activity.”*

*“Maybe separate out stationary activities from moving activities?”*

*“...does not seem to consider the specific activity and the area it's being run (e.g. riding on mountain bike trails), or the relative impact of the activity to other users of the space.*

During the consultation we met with representatives from Ngāti Toa Rangatira and Taranaki Whānui to discuss the Policy. They discussed the importance of aligning any sites identified as Sites and Areas Significant to Māori (SASM) with the District Plan. We have also met with internal teams who identified some sites as being in the same place or adjacent to heritage listings and Significant Natural Areas (SNAs). The SASM as scheduled in the District Plan will require consideration of the intrinsic relationship Mana Whenua has as kaitiaki of these sites and areas.

The District Plan sets out the specific provisions to manage the effects of trading and event activities occurring on sites that are identified as SASM, SNA, and/or heritage.

#### *Officer's response*

We realised that there could be more clarity about our intention about what exactly we were proposing. We are consulting on these sites and activities again to:

- clarify which activities will be carried out at each site
- allow for mobile and transitory-type activities that take place across the reserve and Wellington Town Belt track network
- further elucidate our rationale for why we are making these proposals
- further engage with Mana Whenua about the sites identified as Sites and Areas of Significance to Māori (SASM).

During the consultation we had a Kōrero Mai – Let's Talk page. We provided a map which showed the sites we identified on Wellington Town Belt and reserves for trading and events activities. This map also had functionality for users to drop pins where they would like to see trading and event activities. There were 25 pins dropped on the map from eight people. These will be included in officers' assessment of areas in Wellington suitable for trading and event activities not on Wellington Town Belt and reserves. Information about new trading sites will be provided on the Council's website once this work is complete.

## 2.5 Supporting trade and activity in public places

#### *What we proposed*

The proposed policy recognised the value that trading and event activities can bring to our city by making it more vibrant, diverse, inclusive, and safe. To support trade and event activities in our public places we proposed a number of new measures such as increasing and promoting trading and event sites, shortening licence periods to generate more opportunities, and promoting premium busking spots for street performance. We are also aiming to improve the application process.

#### *What we asked*

We asked four questions around this area. Submitters were asked:

- ways they thought the Council could provide opportunities to support and grow creative enterprise
- whether they had concerns about increasing mobile trading sites
- which trading and event activities they wanted to see more of
- their views on the balance between commercial/private and public use of public land.

#### *What we heard*

#### *Ways the Council can further support*

We identified the following five themes in the responses to this question.



## 1. Community connections

We heard that the community wanted the Council to support opportunities for local and collective community activities, as well as get their input into potential activities. The following comments were received related to this theme.

- Involve youth: *"Council could play a part in increasing accessibility for first-time business starters or youth engaging in business activities (such as the Young Enterprise Scheme) by reducing or supporting fees associated with start-ups."*
- Support local communities: *"Engage with local communities on what we want and have venues and locations expertise and funding available to support this."*
- Engage with communities: *"The locals and the people who work in the area know a lot about how to make it a success, and better than any council official."*

*"Yet there is no mention in the policy of any role that a BID or Business Association may have in working with Council with regards to Trading and Events and what might be desirably or undesirable in certain areas. What might be undesirable in some areas due to confined space or competitive pressure of overuse, may be less of an issue or even desirably in other areas, and it seems unfair that the same rules and costs are applied across the city."*

- Operators to connect with local communities and environments: *"We suggest that a notice period be given these businesses in which time they might find ways to meet locals and join in with guardianship activities in the 'hood to reveal the reciprocal nature of their benefit."* Vogelmorn Community Group.
- Iwi partners highlighted the importance of ensuring that officers assess sites for significance to mana whenua.
- Ensure anything with *"immense social capital"* is supported.
- Other comments were received about the importance of making events and activities accessible and inclusive for all of community.

## 2. Information

- Submitters highlighted the importance of providing clear and up-to-date communication of what's required and to collate information in one space, such as our website.
- Some submitters requested advanced notice of events and things happening in their communities, for example when trails are used for an event *"so we know not to go there"*. Also seen as important was an ongoing dialogue about new activities. *"Advance notice and liaison with local community groups like Community Hubs and Residents Association."* and *"involve BIDs"*.

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*"People are usually happy to share space if the users are considerate, use is known in advance, and there are reliable contact details and processes to sort out any issues."*

- Also seen as important was ensuring information about new activities was given, for example, *"Food trucks are popular, we need to know where they are."*
- Some submitters requested that information was made available about available opportunities, *"maybe signposts at sites and how to apply"*.

### **3. Improved processes/reasonable cost**

- A number of submitters stressed the importance of ensuring processes were easy to navigate and access, comments included: *"remove red tape", "an open approach", "instant approval", "Make it easy for small and varied use of public space to encourage people to feel the public places belong to them"*.

*"As an event organiser I do not want to have to submit multiple applications for the same event on the same piece of land/water. Streamlining the process to incorporate all would improve time and decision making."* Barefoot Sport NZ Ltd.

*"Agree that the systems need to be streamlined. I'd like to see annual concessions granted for areas. Needs to be easier to let the Rangers/WCC know where you are going to be and when - rather than filling out a glitchy form over and over again - currently we've resorted to emailing in bulk."*

- Specific recommendations about ways we can improve processes were given, for example: *"If the intention is to make Wellington a more vibrant, diverse, inviting and inspiring place there must be a simpler one stop process where people can go to get advice. Auckland City Council have dedicated Event facilitators to help you work through this process and this is something that should be considered for Wellington along with an updated website."*

*"Improve the application process. Requiring paper forms to be filled out (often on PDF) is a tedious and outdated process. Ability to upload documents in one place when registering. 1 point of contact."* Barefoot Sport NZ Ltd.

*"Have information readily available. Approach with a positive attitude looking to help these things happen safely, not prevent them. Any costs will be passed on to the consumer, so keep it reasonable with a quick turnaround and low level decision making."*

*"Ease of processing and realistic timeframes will be essential for any commercial tour fees as most day tours are booked within 24 hours of departure and on days when cruise ships visit Wellington, tour operators will sometimes take all their bookings just before departure."*

- Templates for events/more support for events/make is easier for them. *"assistance for amateurs running art events"*.
- Some submitters suggested we avoid high compliance costs.
- Some asked that we provide criteria for when we would consider fee waivers.

- A small number of submitters asked for more event support funding for local events *"something significant between Major Event Fund & Community Event Fund"*.
- Other specific comments included, *"reduce noise controls"*, *"provide annual licences"*, and requests for the Council to provide practical advice and information.

#### **4. Increase sites**

- There were a significant number of submissions calling for the Council to *"identify areas in suburbs that could serve as spaces/temporary hubs for civic activity - including music, trading, consuming food & drink etc. where residents, locals and chance visitors can gather"*. Submitters requested that the Council open up more public spaces for trading and event activities that have services, such as electricity, water, shelter, and public barbeques. Some noted how critical this one due to the effects of the COVID-19 lockdowns.
- Some submissions recommended car-free zones, *"Youth Council believes that increasing no-car zones or incentivising against the use of vehicles would be an effective way to promote spaces where markets and buskers can perform or take place. This has been seen as being effective through closing spaces such as lower Cuba street for the operation of night markets, allowing the community to come together and support creative enterprises in a safe, vehicle-free space."*
- A significant number of submissions were calling for more designated spots for food trucks, markets, and encouraging music and arts to perform.
- As previously stated, there were a number of supportive comments about increasing public trading and event sites. Submitters stressed the importance of making sure that the Council promotes opportunities to access the new sites and makes sure the information is easy to find.

#### **5. Increased safety, cleanliness and service provisions**

- This was a smaller theme than the other four.
- Some submitters noted that well maintained amenities were needed near any trading and events sites, such as clean toilets and rubbish bins.
- Some submitters requested better and affordable public transport to any sites.
- There were a few submissions asking for more carparking with longer times. There were a bigger number suggesting that the Council pedestrianise areas and get rid of cars.
- Some submitters noted that they didn't feel safe in the city, *"make the cbd safe again and people will want to contribute more and spend more time in it."*

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### Concerns about increasing mobile trading sites

There were 88 comments about this question. Of these, 41 submitters (47%) had no concerns about increasing sites. Only six submitters stated they did not want the Council to increase sites.

The remaining 41 submitters were happy to increase sites provided:

- they were well managed, quality, and still accessible (15)
- the effects on natural, heritage environment and waste generation were considered smells/noise concerns (14)
- the effects on established business were considered (11)
- there was community consultation (1)

Comments included:

- *"WWM [Wellington Waste Managers] is only concerned if an increase in sites leads to an increase in waste. The trend in waste produced should be decreasing, even as site occupancy increases. The technologies and products to reduce waste are available, but they must be promoted, and regulated...Similar to the Solid Waste Management and Minimisation Bylaw 2020, WWM recommends that all mobile traders minimise waste as much as possible, and have clear waste management plans, submitted to Council. Further, mobile traders stationed near bush areas/the ocean/rivers should be required to transition to zero-waste as soon as possible."*
- *"we are concerned about the generation and dispersal of waste from some activities into environmentally sensitive areas, particularly areas near the coast where waste items will inevitably be blown into the sea. Increased food waste in these areas could also have a negative impact on achieving the objectives of Predator Free Wellington...Council should prioritise permits for enterprises that are committed to reducing their environmental impacts, including through supply-chain, waste reduction, consideration of public transport or low-emission transport, and emission reduction activities."* Environmental Reference Group.
- *"It is important that all events/activities approved include a thorough waste management and minimisation plan which is up to standard, rather than this only being regarded as a suggested supporting document. By requiring this plan, organisers will be forced to consider the effect that their event may have on the environment through waste production, ensuring that events in our public spaces do not have negative effects on the environment."* Youth Council.

In response to the significant number of submissions calling for better protection of the natural environment through **waste minimisation**, we have added further requirements to the following sections:

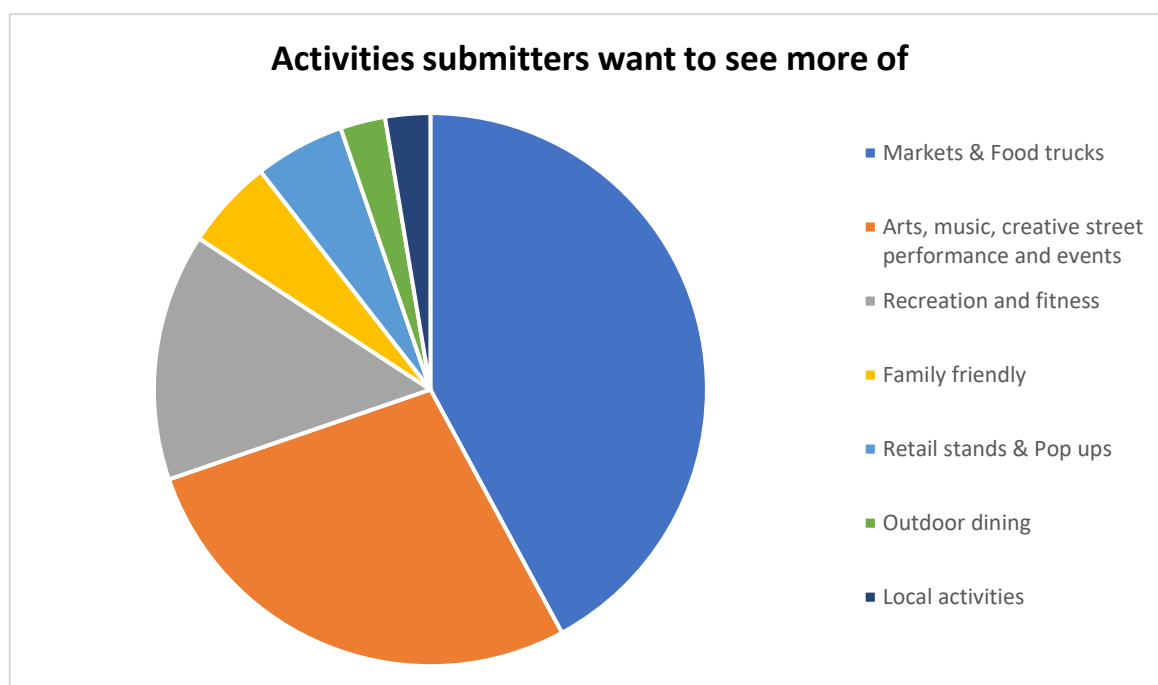


- 'Guiding principles': we have added the sentence *"Including consideration of how waste will be minimised"* to the original principle of "the extent to which sustainable and environmentally friendly practices are integrated into the operations".
- 'Approval conditions': we have added the following condition to reinforce the significance of the Regional Event Packaging Guidelines *"Any activities that involve food services must comply with the Regional Event Packaging Guidelines."* As a result, any packaging used by these vendors would be compostable.
- To reinforce the appropriate role and relevance of the Solid Waste Management and Minimisation Bylaw 2021 and its Event Waste Planning requirements which will come into effect in January 2022, we have added *"if required under the Solid Waste Management and Minimisation Bylaw 2021"* to the requirement to have a Waste Management and Minimisation Plan under the 'Approval process' section.

#### What activities they want to see more of

There were 84 responses to this question. 32 submitters (38%) wanted to see more food trucks and/or markets:

- *"We would like to see more designated locations for the operating of commercial food trucks."*
- *"Celebrate culture and diversity for allowing more food type markets to be operated."*

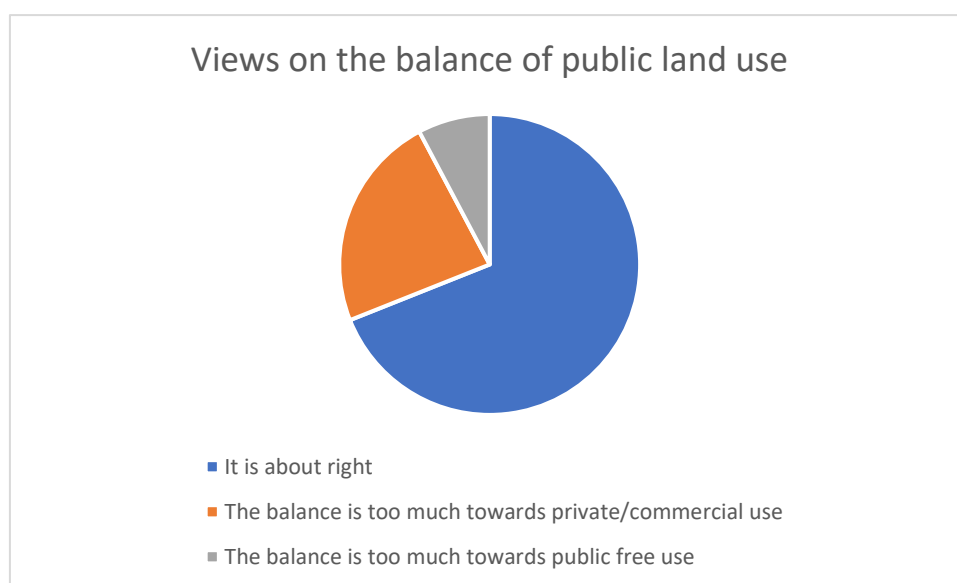


21 of the 84 responses want to see more arts, music, and cultural events, and quality street performances/busking. 11 submitters want to see more health, fitness, and recreation activities.

Four wanted to see more family friendly activities and four wanted to see more retail stands and “pop up” trading sites, while two wanted more outdoor dining. Two submitters wanted to see more local activity, and two submitters thought what we have is fine.

#### [The balance between commercial/private and public use of public land](#)

116 submitters answered this question. Of these 80 (69%) thought the balance of use was about right, 27 (23%) thought the balance was too much towards private/commercial use of public land, and 9 submitters (8%) thought the balance was too much towards free public use of land.



#### [Officer's response](#)

This feedback has been passed on to the relevant business units who will use it when planning activities and working with our communities. The following changes have also been made:

Under the ‘**Approval process**’ section we have added: “**The Council may require proposed trading and event activities to carry out further engagement with any affected parties before approval is given. This includes, without limitation, mana whenua, local community groups, residents’ associations, Business Improvement Districts, and advocacy groups, such as stakeholders from the disability sector**”.

Under the ‘**Fees and charges**’ section of the policy, fee waivers or discounts may be considered for “**events/activities exclusively associated with children/young people under 24 years of age**”.

This policy will direct a website review and information update. Work is currently underway to review and streamline the Council processes under this policy. We are also developing templates and guidance documents to support communities and operators.

With regards to the increase of sites, work is underway to identify sites for trading and events activities and the website will be updated accordingly when we have new sites approved.

## 2.6 Smokefree and vapefree public places

### *What we proposed*

We recommended that all approvals issued under the policy are mandatory smoke free and vape free.

### *What we asked*

Submitters were asked how much they agreed or disagreed that all licensing under the policy should be mandatory smokefree and vapefree.

### *What we heard*

141 submitters answered this question. Of these, 119 (84%) either strongly agreed (92) or agreed (27) that all licensing under the policy should be mandatory smokefree and vapefree, 19 (13%) were neutral, and 3 (2%) either disagreed (2) or strongly disagreed (1).

Comments were overwhelmingly supportive of the proposal:

*"Cancer Society Wellington strongly agrees with the proposed measure to make all trading and events approvals in Wellington city mandatory smokefree and vapefree."*

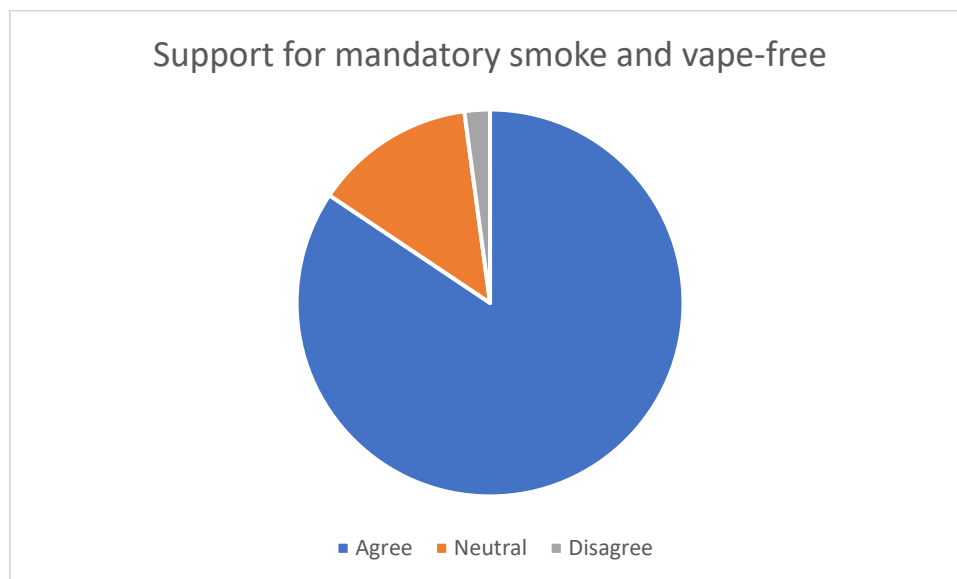
*"DPA strongly welcomes the proposal to make all trading and events both smoke and vape free. This will be important in helping to preserve the general health and wellbeing of everyone in the Wellington region...Disabled people and people with health conditions are particularly susceptible to the effects of second and third-hand smoke."*

Further comments were around how we could effectively operationalise a smokefree policy, including aspects such as effective and visible signage, and training and education of businesses about Smokefree Aotearoa 2025.

There were also comments around how the Council could apply smokefree status to events:

*"I'm confused about the no smoking / vaping policy for events. Is this meant to apply to an individual event location and what is the boundary of this? to the individuals running the event (e.g. busters)?, or to members of the public attending or watching an event, parade or festival. This seems to be rather impossible to enforce."*

The Cancer Society did recommend that community events planning reflects smokefree and vapefree outdoor areas policy in the scheduling, promotion, advertising, and event information. They also stressed the importance that the Council evaluates the impact of the policy position.



#### *Officer's response*

Under the Council's current Smokefree Wellington Action Plan, all Council events, sports fields, playgrounds, beaches, and many other areas are already smokefree. The Smoke-Free Environments Act 1990 prohibits smoking in workplaces and certain public areas, but smoking is not illegal. Therefore the policy position will be implemented through a non-regulatory approach aimed at behaviour change and promoting a positive smokefree message. Compliance with the policy will be based on signage, communication, and education. The aim is to make Wellington a healthy place to be, reduce smoking, and support smokers that would like to stop.

The policy provides a requirement that the operator designate a contact person for the Council to communicate directly with about smokefree issues and data. This will enable the Council to carry out evaluation of what is working well.

Given the strong support for smokefree and vape-free approvals under this policy, it is recommended that this section of the policy remains the same.

## 2.7 Charity collectors and face-to-face fundraisers

#### *What we proposed*

There are two types of street appeals: the traditional bucket collection for annual appeals and the face-to-face charity fundraisers. For some public, charity fundraisers are an issue. While they all require a permit from the Council to operate on public land, there is little information provided to the public about the permit process or where and when they are collecting.



Because of these issues we recommended that information about collection sites and times, rules for collection, code of conduct, and the complaint process is publicly available. We also proposed that all face-to-face charity fundraisers must be a member of the Public Fundraising Regulatory Association (PFRA), which rosters the face-to-face fundraisers, to operate in public places.

#### *What we asked*

Submitters were asked whether there were further measures, other than what we proposed, that are required to regulate face-to-face fundraising or charity collections using public places.

#### *What we heard*

There was a wide range of responses received. Of the 54 submitters who answered this question, 17 agreed with the proposals, 21 agreed and offered further suggestions, seven wanted an outright ban of them (or ban of just the face-to-face fundraisers), three submitters did not see any issue, and six submitters provided a nonsensical response.

Type of response	Number of submitters
Agreed with what was proposed	17
Agreed and offered further suggestions	21
Ban them	7
No issue with them	3
Nonsensical answer	6
<b>TOTAL</b>	<b>54</b>

#### *Tighter restrictions for face-to-face charity fundraisers*

The suggestions submitters offered were largely focused on the face-to-face charity fundraisers. The Policy proposed that fees were not required for both street appeals and charity fundraisers, however one submitter thought that fees should be charged for the face-to-face fundraisers because there was profit being made, but not for the volunteer-based street/annual appeals.

Similarly some submitters thought there should be higher levels of restriction for the face-to-face charity fundraisers over the annual appeals. They thought that the fundraisers should remain stationary and not allowed to approach or "accost" people. Some submitters thought we should only permit them in certain areas and restrict times. "Examples of bad locations are narrow footpaths, near to crossings or entranceways"; "Limit the ones at the train station"; and "Limit to the CBD".

Some submitters felt that the Council should leave the annual/street appeal collections as they are, but ban the face-to-face fundraisers, comments included:

*"Ban the ones that harass you on the street but leave the ones that allow people to donate without stopping them."*

*"They are too often a nuisance, and the collectors are being paid to harass people. Maybe no paid collectors, only volunteers."*

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*"In general these are local charities staffed by volunteers. Their collectors stand in suitable locations, passively seeking donations. This has been a commendable approach...the commercialisation of charity collections has seen the arrival of commercial operations using paid collectors who work in teams, use aggressive psychological techniques, and in my view prey on those individuals who they think can be coerced into donations"*

*"It is a basic personal right to be able to walk down the street without being accosted in this way"*

#### Further measures to regulate

Submitters thought there should be more transparency about fundraisers than what was proposed. For example, information provided about specific locations, collection times, rules, PFRA, and clarity about where the funds are going. Submitters stated that information should also be provided about the process of how fundraisers are vetted, as well as the contact information and legitimacy of the charity. These submitters thought that all the information, including the complaints form, should be in one easy-to-find place on the Council website. Some submitters suggested that fundraisers wear a Council-endorsed ID. One submitter suggested that more information on the permitting process of fundraisers should be included in the Policy.

One submitter suggested that we require any rubbish (such as the stickers) to be limited.

The PFRA submission supports the measures proposed in the Policy. Their further recommendations included:

- Allowing collectors to use the building frontage zone to stand at to ensure health and safety and so they do not obstruct the flow of traffic. Additionally, given the fundraisers are not fixed, they can move easily out of the way.
- Both the PFRA and Council websites should host the information about rules, [code of conduct](#), [complaints process](#) etc. With the Council website linking to the PFRA website for further information about site locations.
- They support having information about site locations and times that a site is available for use by PFRA fundraisers, but not naming the actual day and name of the charity that is rostered to use that site. They feel that identifying these details may increase the health and safety risk of fundraisers due to members of the public targeting or stalking. Additionally, PFRA has last minute changes to bookings and use of sites, so the information may not always be correct.

#### Comments around banning them

While only seven of the 54 submitters who answered this question thought we should outright ban charity collectors, for completeness some comments are included:

*"Ban them in the city. They are a reason not to leave mahi and spend money in other businesses because you don't want to get accosted and pressured. Individuals should be free to enjoy public space without being bothered."*

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*"I would like all of these people off the streets full stop."*

*"...Council should end its connection to PFRU and prohibit it and every charity from placing persons within or adjacent to the **clear accessible path of travel** for any "face to face" charity marketing. It claims to operate a complaint system where it writes the standards and then is "judge and jury" on any complaint. I have never seen this complaint process publicised."*

#### Comments around not regulating them

Only three comments were received about having no issue with collectors, these included:

*"Disagree that public fundraisers need to be regulated. By all means have some guidelines and a complaints procedure made available, but then I think this activity should be self-managed."*

*"No, again, keep it simple. Do not try and over-regulate people trying to do the right thing."*

#### Officer's response

Given the majority of comments agreed with what was being proposed with minor suggestions, the recommended changes to the Policy are minimal. The changes are largely related to how we can improve transparency and include the complaints process. We have provided clarity about specific rules that apply to face-to-face fundraisers and street appeal collectors, as well as definitions. The following changes are recommended:

#### 8.15 Street appeals and charity face-to-face fundraisers

The Council aims to support organisations with their ~~annual~~ street appeals and charity fundraisers in a managed way to minimise conflict with other activities on public spaces such as pedestrian movement and retail activity.

The following conditions apply to all street appeals and face-to-face fundraising:

- Collectors/fundraisers must not approach or pursue members of the public to solicit a donation or subscription.
- Collectors are to be clearly identified and display the name of the organisation and the appeal. Face-to-face fundraisers must wear Council approved identification at all times.
- Pedestrian access is to be maintained at all times.
- Rubbish is to be kept to a minimum and collection areas must be left clean and tidy.
- No more than three collectors at any one collection point

The Council rosters the annual street appeals. National charities that have a designated street appeal date are given special consideration. Applications for a street appeal approval require evidence of the organisation's legal structure and non-profit status. The number of street appeal collectors and proposed collection locations must be provided to the Council, which will be made publicly available.

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A fee is not required for street appeals and charity **face-to-face** fundraisers; however all collectors must comply with this policy.

The Council works with the Public Fundraising Regulatory Association (PFRA) to roster the face-to-face subscription collections. All charity face-to-face fundraisers must be a member of PFRA under this policy. The PFRA website sets out the rules and code of conduct that all face-to-face fundraisers must comply with. **It also sets out the complaints process and** ~~The website also makes~~ information about the ~~individual~~ fundraiser's **collection** sites, days, and times available. **The Council's website will also provide this information with links to the PFRA website.**

#### Definitions

To increase clarity of the different types of collectors, the definitions section will now include the following meanings for "street appeals" and "face-to-face fundraisers".

**Face-to-face fundraisers – raises ongoing, regular subscriptions or donations (usually by direct debit or credit card) from donors through street fundraising.**

**Street appeals – A coordinated and organised event by organisations that ask for, or seek, any collection or donation from members of the public (both monetary and written via a petition or survey). Street appeals can involve one or more people and can operate at more than one location at the same time.**



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## Part three - other comments about specific activities under the policy

### 3.1 Alcohol and junkfood concerns

Two submitters were concerned about junk food advertising and availability.

*"We recommend consulting New Zealand experts such as Louise Signal and Boyd Swinburn on suitable requirements for junk food trading in public places. For example, it could mean the council require at least two healthy eating options available from every cart, or a limit on the time carts are allowed to be at a site. All parents will understand the pressure in public places to purchase these types of food for their children. Junk food carts are a prevalent use in public space and should be managed in much the same way as smoking and alcohol consuming activities."* Living Streets Aotearoa (LSA).

*"High-calorie junk food is easily available. Obviously, we'd prefer that this didn't happen, so we wonder what controls will be in place to mitigate against this."* Mount Victoria Residents' Association (MVRA).

There were three comments received about safe alcohol management.

*"Many but not all events that promote a heavy drinking culture are fenced off from the general public (such as at Waitangi Park). While it might be fun for an occasional evening out neither of these habits should be promoted by WCC and locations for large events do not necessarily need to be in prime public space locations."* LSA.

*"We see this proposed policy will normalise the promotion of events where binge drinking takes place – whether onsite, or on the event's perimeter, due to the proximity to cheap reloading options at Chaffers St New World."* MVRA.

*"Our final comment on the proposed Trading and Events in Public Places Policy is ensuring alignment to Wellington City Council's Alcohol Management Strategy. This strategy outlines how alcohol will be managed at events and in public places and is a key document to ensuring alcohol is sold and supplied in a safe way across the city. Wellington City Council is leading the way with policies and strategies that balance the vibrancy of a large city whilst improving wellbeing for the people of Wellington. We commend you on your proactive approach to creating healthier spaces throughout the city."* Healthy Families, Lower Hutt City Council.

#### Officer's response

We have added the Council's "Alcohol Management Strategy" to the policy for consideration for approval holders selling alcohol under the 'General approval conditions' section.

We have passed on the submitters' concerns regarding junk food to the teams who manage food trucks.

### 3.2 Buskers/Street performance

There was concern about how begging and rough sleeping can impact street performers.

*"Policy like this will needs to at least consider how homelessness and drug and alcohol dependency affects any street activity. We (I am a street performer as part of being a professional musician), like many, share 'the streets' with all of society. I cant help but be concerned that homelessness and the obvious presence of people with quite serious mental health difficulties living on the streets of our capitol impacts on the enjoyment and access to public spaces."*

Feedback supported the premium busking approvals model we proposed as a way to support the quality of street performance. There was support for establishing sites for premium busking approvals which are appropriate, accessible, and in high-foot traffic areas such as Cuba Mall. There was support for performers with these premium busking approvals to pay a modest fee, have an annual licence, have Council ID, and have public liability insurance.

*"...here are some suggestions on how to manage street performers:*

- 1. All street performers have to have a licence, paid for and renewed every year, issued by the council (this is the model favoured by some Australian Cities). To receive a licence you need to provide ID and agree to the code of conduct, and pay for a modest admin fee.*
- 2. All street performers have to carry a licence and evidence of public liability insurance available for inspection by an approved official.*
- 3. You establish pitches in high foot -traffic areas like Cuba street/CBD. These could be sponsored by local businesses.*
- 4. Negotiate and agree a code of conduct with street performers including circus performers."*

*"Also yes addresses the AFUL and loud buskers and people who it on the street asking for \$ that's a nuisance for businesses and pedestrians and isn't needed. [sic]"*

*"I think it would be wise for the city to have a process that better manages creative arts and performers in the city. Performers and buskers can sometime become repetitive and while this might be ok for pedestrians passing by, it can be a true test of patience for other service providers or frequent visitors to the location. Some artists have a good repertoire and some don't, I think this speaks volumes to how passionate the artist is toward their own art or is it more of a job. A process to better qualify the artists might help align the performances to how the city wants to be remembered by its visitors."*

### 3.3 Commercial group fitness activities, lessons, coaching, and tours

There were a number of submissions received from commercial lessons, coaching, and tour operators who use our open space tracks.

During the consultation period, we also met with many of these operators to discuss their concerns.

*"The class or tour must run for no longer than 90 minutes (about 1 and a half hours), including set up and pack down time." This seems a little arbitrary. If there was a walking tour of the City to Sea Walkway, Skyline Walkway, Southern Walkway. This would take all day or several hours. Why does there need to be a time limit at all?*

*"The time limit is going to be a major problem for any outdoor recreation activity. I'm not sure why there needs to be a time limit at all. Walking tours, running clubs, races & events, kids holiday programmes etc will all be unable to run within this proposed limit."*

*"The 90 minute time limit stipulation is also ridiculous. Mountain bike rides can take between 2-4 hours (or longer) as can most walks, tours."*

*"I think this is missing a major point. I'd like to add something along the lines of 'where the event/activity increases the health and wellbeing of Wellington residents and/or promotes connection to our natural surroundings'."*

Generally, the submissions highlighted concerns that the draft policy didn't cater for their transitory-type use. For example, there were a number of clauses in Schedule B under the 'Specific approval conditions' section: 'Commercial group fitness and commercial tours', which only applied to stationary activities, eg bootcamps, and not to mobile or transitory activities. Such as the specified time limits of 90 minutes and how to manage wear and tear on a specific area. Additionally, as highlighted above, there were concerns related to the identified sites for activities on Wellington Town Belt and reserves because they were only specifying the stationary part of the activity.

A provider of mountain bike guiding and instruction suggested that under this policy, the Council should ensure that any adventure activity operator on public land has a current registration under WorkSafe and can produce evidence of a Safety Management System.

*"At this time, we are aware of only one other operator similar to ourselves who has a current registration and that there are several who don't. At Joyride, we believe that holding this registration is part of industry good practice and should be a requirement to operate."*

#### **Officer's response**

- Under the Health and Safety at Work Act 2015, as landowner the Council is considered to be a Person Conducting a Business or Undertaking (PCBU). WorkSafe considers [our responsibilities](#), as landowner, is to seek proof of the operator's current adventure activities registration, as well as ensuring operators are warned of any onsite hazards. We have included the requirement to be registered with WorkSafe under the 'Approval conditions' section:

*"All adventure activity operators (as defined in the Health and Safety at Work (Adventure Activities) Regulations 2016) are required to be registered with WorkSafe New Zealand."*

- In response to the concerns raised about providing for the transitory-type use, we have expanded the title of the section under ‘**Specific approval conditions**’ to ‘**Commercial group fitness activities, lessons, coaching, and tours**’. We have also separated the conditions that relate specifically to stationary-type activities from the mobile and transitory-type activities:

“The following conditions apply to group fitness activities, lessons, coaching, and tours that are stationary (ie not transitory or moving around a park or open space):

- m. The activity must run for no longer than 90 minutes, including set up and pack down.
  - n. The operator does not have exclusive use of any area at any time. This means they can only use any area while a session is in use, cannot set up any semipermanent space, and must take all equipment away from any open space when a session is not in-progress.
  - o. If there are members of the public in the area at the time the operator sets up and the class is unable to move location, the operator needs to give them at least ten minutes notice to vacate the site.
  - p. The Council may, at its discretion, instruct an operator relocate their activity.
  - q. Wear and tear on grassed areas or tracks must be minimised (this includes avoiding wet and boggy areas, rotating activity within an area and/or alternating activities, if more than one).”
- We have differentiated between the stationary and transitory types of use of reserves and Wellington Town Belt sites, as outlined in the sections above.
  - As outlined above we have added a further clauses to the ‘**Objectives**’ section to recognise the value and benefits recreational operations bring to the city: “**promote social, cultural, and recreational opportunities in Wellington**”.

### 3.4 Expression of interest section

WellingtonNZ highlighted how the last two sentences of the “**Expressions of interest**’ section could be interpreted as the Council as not being transparent, “*Noting that one of the objectives of this new policy is Transparency, this would not feel very transparent to businesses and event operators who were not invited.*”

In response, we have deleted these last two sentences of the section so it now reads:

Where there are several similar suppliers wishing to trade in a location or where the Council wants to encourage trading and/or activation at a particular site, the Council may invite expressions of interest. The Council will promote opportunities and invite expressions of interest for trading or event activities in Wellington’s public places when available on the Council’s website.

~~“The Council also reserves the right to invite particular businesses to apply to provide trading and events activities at a site(s) where it would benefit the site and the public’s use and enjoyment of the site. For the avoidance of doubt, some trading and event activity may be approved outside~~



the  
expression of interest process."

### 3.5 Fees and charges

Some submitters felt smaller scale tours, lessons, and coaching activities should be charged less than larger operators as their impact is small.

*"Small Tour Operators such as myself along with my industry peers find potential charging to access public spaces i.e. Mt Victoria lookout unfair. We are taking the same number of people to visit this area as a private family outing to Mt Victoria. This seems quite unfair."*  
Kaewa Tours Ltd.

*"Again, small scale, transient trail businesses do not occupy a space for sufficient time to impact public access/use or other businesses."*

The submitters who commented about fees and charges seemed largely concerned with ensuring the process for how Council calculates the fees was transparent. Some submitters requested more detail of what the fees would be.

*"The lack of detail on a proposed charging regime and implementation does not allow for a robust submission, therefore WellingtonNZ does not currently support charging commercial tour operators. We would be happy to work further with Wellington City Council and facilitate further engagement with the sector to formulate a transparent, equitable and efficient model for commercial tour operators."*

*"As an operator in good standing in other jurisdictions, we appreciate and understand that there are charges in processing and surveillance associated with concessions. We do expect there to be some charge. However without any indication of detail, we cannot give feedback on this topic." Joyride.*

*"The policy talks about granting concessions and charging entities on a "cost recovery basis". However there is no detail given about these costs, including how often, how much, whether this annual one off, or other."*

There was also some concern about charging for community events and fundraisers:

*"...many of these are community events and fundraisers and no one should incur a cost for using public facilities and locations."*

Some feedback highlighted how any charges should be delayed due to the effects of Covid-19 lockdowns:

*"A delayed and/or staged implementation until international borders are open is encouraged to allow tourism businesses to build charges into their pricing. Tour prices can be set up to 18 months in advance for international markets".*

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WellingtonNZ recommended that we consider charging an overall fee to access sites, rather than a fee per site:

*"Charging for multiple sites, rather than an overall access fee, may have the unintended consequence of intensification of use at key locations such as the Botanic Gardens."*

A couple of submitters highlighted how local operators should have priority from those outside the region:

*"I think local businesses should have access to local sites as opposed to commercial businesses from outside the region. If tour operators from outside the GWRC are benefitting from our spaces perhaps they should be treated differently than those local businesses who have already financially supported the area in their fees and taxes."* Zozo Travel Limited.

Some submitters thought that operators who promoted the public's health and wellbeing, and contributed to track maintenance should be exempt from fees:

*"The current system where operators/events donate back to volunteer trail groups (either with time or money) works really well. That could be taken away if operators/events have to pay money to the Council instead - is this money guaranteed to go back into local trails where the activity takes place."* Brooklyn Trail Builders.

### **Officer's response**

We met with a group of trail-based operators and WellingtonNZ during the consultation period. We discussed the process for how Council fees are calculated, and how there will be advanced notice of implementation. We reassured the operators that fees for transitory-type commercial use of open spaces will likely be based on the numbers of participants per annum and will therefore be scaled accordingly.

We also discussed how it is recommended the policy does not take effect until July 2022 so officers can work with operators on the introduction of any new fees.

This policy recognises that using public land for commercial operations is a privilege and not a right. The Council has obligations to ensure that activities are conducted safely and are balanced with free public use. As stated above, we have added a sentence capturing this sentiment in the policy's **'Purpose'** section: "This policy requires anyone wanting to undertake a trading or event activity on public land to obtain approval from the Council, **recognising that it is a privilege to conduct commercial activities on public land.**"

Also as stated above, we have added an objective to recognise the value of people enjoying and recreating in Wellington: "*promote social, cultural, and recreational opportunities in Wellington*".

Under the **'Guiding principles'** section, which officers will use when assessing applications for activities in public places, we have amended a clause to recognise the added value that some activities can bring to the community:

The level of additional benefits, enjoyment, and community use opportunities, and whether the activity contributes to the Council's commitment to promoting personal and community empowerment, health, and wellbeing.

Under the policy, officers have discretion for any fee waivers or discounts for:

- events or activities for schools, charities, community groups, and not-for-profit groups
- events/activities exclusively associated with children/young people under 24 years of age
- where there is a high degree of significance and benefit to the city, and the public cannot be prevented from enjoying the activity
- photography and filming that is not commercial (as defined in the glossary)
- busking (not street performance on premium sites).

All information regarding the operationalising of fees and charges has been passed onto the relevant business units.

### 3.6 Guiding principles

There was specific feedback given regarding the Guiding principles section that will be used by the Council for assess applications for trade and event activities in public places. This feedback included:

*"will the Council be seeking the advice of an industry specialist to help make the decision?  
[of the extent to which vibrancy and visitor numbers are enhanced]"*

*"A guiding principle should include activations (such as fan zones) that support World Cups or Major Events, Currently where there is the situation where WCC along with other cities take part in a bid process to secure a World Cup with the intention of driving economic development, overseas visitation and leverage and legacy programs."*

*"Guiding principles, last paragraph. "Note that for trading and event activities on reserves, public gardens, the Wellington waterfront, and Wellington Town Belt land, there may be additional assessment criteria, which is provided in the applicable statutes and corresponding management plans." Can the application please consider all the areas so that these commercial providers do not need to make multiple applications that may contradict the intentions of each other? Please understand how complex this is for a business/event operator, resulting in a barrier to applying. For many it might be easier to organise their event or business on other public land in the Wellington region than deal with WCC processes."*

#### Officer's response

This feedback has been passed on to the relevant operational business units.

The policy has been amended as follows:

- To provide clarity that an application will be assessed once against multiple criteria, we have amended the final paragraph of the 'Guiding principles' section. There will be no need to make multiple applications. However additional information may be required at times.

"Note that for trading and event activities on reserves, public gardens, the Wellington Waterfront, and Wellington Town Belt land, applications may be assessed against additional criteria in the applicable statutes and corresponding management plans."

- To recognise significant events, we have amended the a clause in the 'Guiding principles' section to:

"The significance and/or uniqueness of the product or offering, and whether it provides opportunities for the public to participate in diverse and quality activities."

We have also added more information to the relevant clause under fee discretions/waivers:

"where there is a high degree of significance and benefit to the city, and the public cannot be prevented from enjoying the activity "

### 3.7 Monitoring and enforcement

There were some comments related to the Council's resources for monitoring compliance:

*"Overall, this policy doesn't address resourcing and doesn't cover the group responsible for monitoring and enforcement."*

*"How will the policy be policed and enforced? It's all well and good having something formalized but if those that aren't following the rules are not impacted it punishes the rest."*

*"We note that the policy has identified areas of Wellington where it would be difficult to enforce the Trading and Events in Public Places Policy. In order for the Wellington City Council Trading and Events in Public Places Policy to be successful, there must be consistent enforcement and compliance across all areas of Wellington to the greatest extent possible."*

*"It's all very well to have a great policy and bylaw if there is someone to enforce, currently WCC has very limited staffing to manage the significant commercial uses of public space." Living Streets Aotearoa.*

In response, and as previously articulated, process improvement work is underway to look at the resources required to implement this policy. These comments related to monitoring and enforcement will be taken to account during this process improvement review.

### 3.8 Professional dog walking

There were 44 comments related to professional dog walking and a significant response from professional dog walking operators and community on social media. We met with over ten different operators to hear and respond directly to the concerns raised. In essence, the concerns related to the proposed limit of six dogs and the areas we proposed were not permitted. It was a



positive and solutions-focused meeting, and we were extremely grateful for the kōrero. The group was generally supportive of the Council regulating the industry.

*"We recommend that the Council's policy positions should be designed to support the safe use of public spaces while incentivizing the use of dog walking services that are of a high quality and safety, and that support well trained and well socialized dogs for the benefit of the whole community."* [sic]. We're Wolf Walking Wellington Ltd.

*"Structured pack walking is a key essential service for the health and wellbeing of city dogs, positively impacting their interaction with the human world in significant ways. Structured pack walking involves a rigorous and ongoing process of assessing dogs for suitability, introducing them to a pack and the walking process, and training and monitoring individual dogs' behaviour and performance. There is a high level of structure, experience and health and safety process to this type of walking."*

*"City walking has specific benefits for the socialization of dogs and the safety of the community, exposing dogs in a controlled group fashion to the sights and sounds of the city and desensitizing them to noise and people. Learning traffic safety through group walking is a key benefit."* [sic]. We're Wolf Walking Wellington Ltd.

Some submitters thought that commercial dog trainers that use public places should also be included, which we have done.

There was also considerable support for the requirement to have public liability insurance, so we have taken the 'recommendation out of the clause' and in so doing this group will now fall under the '**general approval conditions**' of *requiring* public liability insurance.

#### *Officer's response*

- The group we met with collectively agreed the way forward was to develop an annual course in partnership that sets out the rules and conditions, while also ensuring that health and safety standards are met.
- We have removed the specific restrictions proposed and amended the policy as follows:

#### **Commercial/professional dog walking, handling, and trainers**

Professional dog walkers, handlers, and trainers<sup>3</sup> require approval under this policy to operate in public places. The rules for professional dog walkers and trainers operating in public places include minimising the:

- a. negative impact or conflict with other public space users
- b. damage to public spaces amenity and assets.

Under this policy, professional dog walkers, handlers, and trainers must complete the Council's annual registration course before they can obtain approval to operate in public places. The course

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<sup>3</sup> Note, in this policy professional dog trainers only refers to those trainers operating in public places, and does not include those operating in licensed areas for dog training purposes.

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sets out the rules and conditions for operating in our public places. All professional dog walkers, handlers, and trainers must comply with the Dog Control Act 1996 and the Council's Dog Policy 2016 which set out that dogs must be kept under control at all times.

### 3.9 Bulk bins

We sent the Statement of Proposal to all Wellington bulk bin operators. We received two submissions from waste operators. One expressed concern about the proposal that the owner of the bin is required to get Council approval.

*"This policy below is unworkable. The Hirer of the bin has control over the location in the event of a wheelie bin (particularly with council providing no workable alternatives) and practically speaking where a skip bin is ordered the Hirer knows some time ahead of their order. The owner of the bin has no foresight on demand. We currently work under a regime where the Hirer is responsible for permitting."*

We have met with the submitter and agreed to continue to work with all Wellington-based operators to develop a practical solution. The policy has been changed to "Council approval is required prior to bulk bins being placed on public land".

### 3.10 Definitions section

Living Streets Aotearoa requested that we use the "definition of a footpath provided in Land Transport Regulations, which we have done:

**Footpath** – Has the meaning assigned to that term under section 1.6 of the Land Transport (Road User) Rule 2004. It means a path or way principally designed for, and used by, pedestrians; and includes a footbridge.

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## Schedule A: Trading and event sites on reserves and Wellington Town Belt

**(originally part of the Statement of Proposal)**

### 7.1 Trading and event sites in Wellington

Information about all trading and event sites and opportunities available in Wellington will be provided on the Council website. [Note that the list of sites not on reserve and/or Wellington Town Belt only includes five sites, but this is still being worked through and will be updated].

### 7.2 Sites and activities on Wellington reserves

The Council has set aside the following sites on recreation, scenic, historic, or local purpose reserves for trading and event activities.


The activities allowed on the identified reserve sites must be low impact and temporary in nature. The following permitted activities have been assessed against the guiding principles in this policy and the relevant reserve management plan:

- a. Mobile food/coffee carts.
- b. Recreation equipment hire.
- c. Outdoor dining.
- d. Commercial tours.
- e. Commercial group fitness activities.
- f. Recreation services provision, such as dog washers and mountain bike cleaning.
- g. Commercial one-off events that are a large-scale or regular multisport event.

Table 1<sup>4</sup> includes the identified activities that are suitable for each pre-approved site are included in the table below. Approval for these activities will be issued by authorised officers.


**Note:** the sites in the table that are marked with an asterisk indicate land that does not have reserve status under the Reserves Act 1977 but is managed by the Council as a reserve. This applies to land such as legal road which is situated next to a reserve and there is no clear distinction between property types.



Table 1: Identified sites and trading and event activities on Wellington reserves.



Site	Reserve status	Legal title	Activities allowed	Photo of site
<b>Motukairangi – Eastern Ward</b>				
1. Centennial Reserve/ Miramar mountain bike park and pump track	Recreation and Scenic reserve	Two sites. Section 95 Watts Peninsula DIST (WN23B/720); Lot 1 DP 8458 (WN483/174); Part Lot 1 Deposited Plan 4741 (WN18D/1420)	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	



<sup>4</sup> Please refer to maps on pages 37 to cross-reference sites.





2. Lyall Bay and Airport Reclamation	Local Purpose Reserve (Esplanade); Local Purpose (Esplanade); Fee simple	Lot 6 Deposited Plan 75384 (WN43B/27); Lot 3 Deposited Plan 78304 (WN45A/75); Part Lot 3 Deposited Plan 2456 (WN428/268)	<ul style="list-style-type: none"> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul> <p><b>Nb: no food services</b></p>	
3. Evans Bay Marina, Hataitai*	Fee simple	<p><i>Managed by Parks, Sport, and Recreation (PSR) as reserve</i></p> <p><i>Lot 11 Deposited Plan 88742 (WN56B/543)</i></p>	<ul style="list-style-type: none"> <li>• <i>Mobile food/coffee carts</i></li> <li>• <i>Recreation equipment hire</i></li> <li>• <i>Commercial tours</i></li> <li>• <i>Commercial group fitness</i></li> <li>• <i>Recreation services provision</i></li> <li>• <i>Commercial one-off events</i></li> </ul>	



<p>4. Worser Bay carpark (opposite 209 Marine Parade Road) *</p>	<p>Legal road</p>	<p>Managed by PSR as reserve</p>	<p>As above</p>	
<p>5. Seatoun Park and play area*</p>	<p>Legal road</p>	<p>Managed by PSR as reserve. Two sites.</p>	<p>As above</p>	


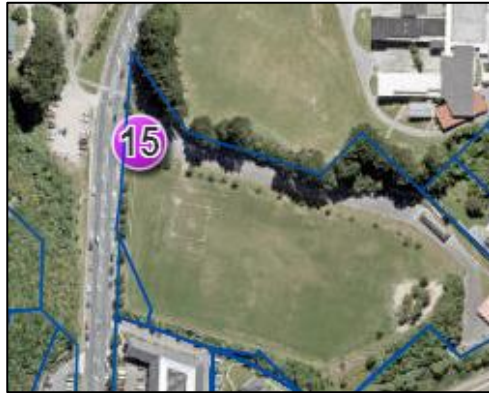
Pukehinau – Lambton Ward				
6. Railway Station Reserve*	Held by WCC upon trust as a street	PSR and Transport manage. Two sites.  Lot 1 Deposited Plan 13123 (WN508/152)	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	
7. Wellington Botanic Garden	Local Purpose Reserve for Public Gardens	Part Lot 1 Deposited Plan 8530	As above	

8. Glover Park	Recreation Reserve	Lot 2 Deposited Plan 35152 (WN12B/228); Part Section 152 Town of Wellington (WN340/45)	Outdoor dining only  Nb: no food trucks	
9. Te Aro Park	Recreation Reserve	Part Lot 2 Deposited Plan 80681 (WN47B/261)	Outdoor dining only  Nb: no food trucks	





10. Freyberg pool carpark*	Fee simple	<p>Managed by PSR as reserve</p> <p>Section 32 Block VII Port Nicholson Survey District (WN27D/765); Section 33 Block VII Port Nicholson Survey District</p>	<ul style="list-style-type: none"> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul> <p>Nb: no food services</p>	
11. Frank Kitts Park*	Fee simple	<p>Managed by PSR as reserve</p> <p>Lot 2 Deposited Plan 436892</p>	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	



Takapū – Northern Ward				
12. Grasslees Reserve	Local Purpose for Reserve Recreation Purposes	Section 407 Porirua District (WN22A/572)	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Recreation services provision</li> <li>• Commercial group fitness</li> <li>• Commercial one-off events</li> </ul>	
13. Grenada North Park and Play Area	Recreation Reserve	Lot 2 Deposited Plan 50139 (WN38D/485)	As above	



14. Alex Moore Park	Recreation reserve	Lots 6-11 DP 2107 (WN600/20)	<ul style="list-style-type: none"> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul> <p><b>Nb: no food services</b></p>	
15. Raroa Park	Recreation reserve	Part Section 218 Porirua District (WN23C/916)	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Recreation services provision</li> <li>• Commercial group fitness</li> <li>• Commercial one-off events</li> </ul>	



16. Pukehuia Park - Newlands	Recreation reserve	Part Lot 1 Deposited Plan 10372 and Part Section 12 Porirua District (WN23A/127)	As above	
<b>Wharangi – Onslow-Western Ward</b>				
17. Makara Peak Reserve mountain bike carpark*	Fee Simple - Closed Road	Managed by PSR as reserve Section 1 SO 448758	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	





18. Ian Galloway Park – Sportsfield	Recreation reserve	Lot 1 Deposited Plan 59984 (WN33C/807);	As above	
19. Ian Galloway Park –BMX Area	Recreation reserve	Section 1 Survey Office Plan 37014 (WN42C/388)	As above	

20. Ōtari Wilton's Bush carpark	Scenic reserve and legal road	Part Section 1 Kaiwarra District (WN158/218) and Wilton Road	As above	
21. Karori Pool carpark	Recreation reserve	Section 94 Karori District (WN10B/1141)	Mobile food/coffee carts	

Paekawakawa – Southern Ward				
22. Shorland Park and Play Area	Recreation reserve	Part Lot 478 & 479 DP 251 (WN321/264 & WN428/133))	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	
23. Truby King Park	Historic Reserve	Lot 2 Deposited Plan 12692 (WN47B/601)	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	

24. Brooklyn Wind Turbine (Southern landfill)*	Fee simple	Part Section 5 Upper Kaiwharawhara District (WN20C/479)	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	
25. Owhiro Bay Quarry carpark*	Legal road	<p>Managed by PSR as reserve</p> <p>The roads shown as The Esplanade, Reef Street, The Parade, and Derwent Street on DP 251 (WN49/176)</p>	As above	



26. Te Raekaihau Point/Princess Bay car park*	Fee simple	Managed by PSR as reserve  Lot 3 DP 90866	As above	
<b>Makara-Ohariu</b>				
27. Makara Beach Foreshore & Reserves	Scenic Reserve and legal road	PSR and Transport manage  Lot 1 Deposited Plan 8890 (part Gazette Notice B040434.1) and Makara Road	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	

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### 7.3 Sites and activities on Wellington Town Belt

The Council has set aside the following sites on Wellington Town Belt land for trading and event activities.

The activities allowed on the identified Wellington Town Belt sites must be low impact and temporary in nature. The following permitted activities have been assessed against the guiding principles in this policy and the Wellington Town Belt Management Plan 2018:


- a. Mobile food/coffee carts.
- b. Recreation equipment hire.
- c. Outdoor dining.
- d. Commercial tours.
- e. Commercial group fitness activities.
- f. Recreation services provision, such as dog washers and mountain bike cleaning.
- g. Commercial one-off events that are a large-scale or regular multisport event.

Table 2 includes the identified activities that are suitable for each pre-approved site are included in the table below.

Approval for the individual licences for these activities on the Wellington Town Belt sites will still require approval by the Council or delegated committee.

**Note:** in the table below, the site at Kelburn Park is marked with an asterisk to indicate that is not part of the Wellington Town Belt but is managed by the Council as Wellington Town Belt. This is because it is legal road adjacent to Wellington Town Belt and there is no clear distinction between property types.

Table 2: Identified sites and trading and event activities on Wellington Town Belt land.

Wellington Town Belt Site	WTB land status	Legal title	Activities allowed	
<b>Pukehinau – Lambton Ward</b>				
28. Kelburn Park, Salamanca Road*	Legal Road adjacent to Wellington Town Belt	Managed by PSR as WTB  Fee Simple, 1/1, Deposited Plan 10086, 64,657 m <sup>2</sup>	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	
<b>Paekawakawa – Southern Ward</b>				

29. Matairangi/Mt Victoria Look out	Wellington Town Belt	Section 3cSO 476360 (WN716/19)	<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Commercial tours</li> <li>• Commercial group fitness</li> <li>• Recreation services provision</li> <li>• Commercial one-off events</li> </ul>	
30. Matairangi/ Mt Victoria Nature trail area	Wellington Town Belt	Section 1 Survey Office Plan 476360 (WN52B/855)	As above	



31. Hataitai Park	Wellington Town Belt	Part Lot 1 Deposited Plan 8519 (WN48B/341); Lot 4 Deposited Plan 81724 (WN48B/339); Section 1 Survey Office Plan 481442 (WN48B/341)	As above	
32. Wakefield Park, (North end carpark)	Wellington Town Belt	Part Lot 1 Deposited Plan 10322 (WN47B/388)	As above	



# Trading and Events in Public Places Policy 2021

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## 1. Introduction

Trading and events can make our city more vibrant, diverse, inviting, and inspiring. The Council recognises that exciting and vibrant public spaces can also increase public safety and inclusivity as more people engage and take part in trading and event activities. The valuable contributions these activities can make to local communities, culture, and economy is also recognised.

Our public places are important – we use them to socialise, play, and work. We want them to be lively, active, and safe for everyone to use. There are a range of trade and event activities that occur in our public spaces. On our footpaths, activities occur such as outdoor dining, busking, street collectors, and sandwich boards. On the Waterfront, activities can range from recreation equipment hire, markets, events, food trucks, and outdoor dining. In our gardens, reserves, and Wellington Town Belt, which are all covered by their own legislation<sup>1</sup>, activities include professional dog walking, tours and guiding, events, and lessons and coaching. There are times these uses can conflict and can affect other users or the surrounding environment. The Council needs some rules and guidance on how these spaces are managed.

## 2. Purpose

The purpose of this policy is to set the conditions for the management of trade and event activity in Wellington's public places. It also guides the prioritisation of footpath space for pedestrian activity. While trade and event activities are valued for the vibrancy, attractiveness, safety, and diversity they can bring to Wellington, Council management is required to ensure accessibility and effective pedestrian movement, public health and safety, and the preservation of our urban, cultural, heritage, and natural environments. It will also help ensure that public space is allocated fairly and consistently for trade and event activities. This policy recognises that public spaces are primarily for public use and enjoyment. It provides a framework to balance and manage concerns related to the diverse, and sometimes competing, use of Wellington's public places.

This policy guides how events use and operate in public places<sup>2</sup>. Regulating and supporting events in public places helps the Council ensure there are opportunities for a variety of events, appropriate services, and there are no conflicts with other bookings. It will also help the Council to assist with traffic and waste management planning and to ascertain whether building and/or resource consent is required.

This policy requires anyone wanting to undertake a trading or event activity on public land to obtain approval from the Council, recognising that it is a privilege to conduct commercial activities on public land. Operations must be consistent with legislation, our bylaws, strategies, guidelines, policies, management plans, and the District Plan. The Council will set general and specific conditions for where and when trading and event activities can occur. We will also ensure appropriate standards of health and safety, accessibility, and visual amenity are maintained, as well as consider the potential impacts on the environment, private property, and local established businesses.

## 3. Objectives

This policy aims to enable, support, and promote opportunities to trade and hold events in our city's public places. The objectives of this policy are to ensure that trading and events in Wellington's public places:

- encourage vibrancy, diversity, and amenity

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<sup>1</sup> [Reserves Act 1977](#), [Wellington Botanic Garden Vesting Act 1891](#), and [Wellington Town Belt Act 2016](#)

<sup>2</sup> The Council's strategic vision for events in the capital is provided for in the Events Policy 2012.



- maintain appropriate standards of public health, safety, and accessibility
- promote consistent and predictable access ways on footpaths
- minimise disruption to pedestrians
- actively recognise and support the urban, cultural, heritage, and natural environments
- promote social, cultural, and recreational opportunities in Wellington
- minimise the effects on private property and existing businesses.

This policy also aims to:

- ensure that costs are recovered from commercial activity on public land
- clearly outline the Council's decision-making and approval process.

## 4. Scope

The scope of this policy is intended to be comprehensive and future-proofed. Activities covered by the policy include, without limitation:

- offering or carrying out commercial or non-commercial goods and services in a public place
- fundraising for a charitable cause, soliciting of any subscription or collection of any one-off or ongoing donation
- distributing and/or displaying promotional goods and materials (including advertising and tasting/sampling activities)
- street performance / busking, including pavement art
- events and filming in public places, such as activations, weddings, protests, parades, festivals, and community and sports events.

The public has the right to peaceful assembly, so permission is generally not required for gatherings in public places such as a small group picnic or impromptu games. However, this right does not mean people can infringe on other people's right to freedom of movement. If the event or activity is important and a dedicated space is required, it can be booked through the Council.

### 4.1 Restricted activities

Trading and event activities that are prohibited or not appropriate for public places include, without limitation:

- any illegal activity or activities prohibited by Wellington City Council bylaws, management plans, policies, or the District Plan
- roadside windscreen washing, which is an offence under the Land Transport Amendment Act 2017
- the use of flags on footpaths or berms, which can cause obstructions and are generally not permitted<sup>3</sup>
- running power cords across footpaths (as part of an activity)
- discharging fireworks in public places, which is prohibited under the Council's Public Places Bylaw<sup>4</sup>.

### 4.2 Out of scope

Activities that are out of scope of the policy include:

- commercial and/or temporary signage<sup>5</sup>

<sup>3</sup> However, if used as part of an event and/or if there is enough space to safely position them, the Council will consider permitting them on a case-by-case basis.

<sup>4</sup> Note that the District Plan provides for public fireworks displays.

<sup>5</sup> Signage rules are provided in the District Plan. For the avoidance of doubt, sandwich boards are provided for in this policy.

- car share schemes, as these are managed under contractual arrangements<sup>6</sup>
- home video-type filming and amateur photography
- begging and rough sleeping, as the Council's Te Mahana strategy outlines our collaborative approach to begging in Wellington
- trading and event activity occurring on private land or land managed by other entities, as this is provided for under the District Plan.

## 5. Approval process

All businesses, organisations, groups, or individuals wanting to engage in trading or event activity on public land must first obtain Council approval.

Applications must contain all the information necessary for the Council to consider issuing an approval, be accompanied by the relevant application fee (if any) and be submitted in accordance with applicable Council guidelines. There may be further information or modifications that are required which will be discussed with the applicant before approval is granted. The Council will ensure accessible application options are provided.

Approvals will be in the form of written permission as either a:

- licence
- permit
- landowner approval
- concession
- booking.

Where the term approval is used in this policy it includes all of the above forms.

The applicant will be notified if further information is required, such as (without limitation):

- a Traffic Management Plan, including a parking and towing plan
- a Waste Management and Minimisation Plan, if required under the Solid Waste Management and Minimisation Bylaw 2021
- site location plan
- food control plan
- health, safety, and wellbeing plan, including an incorporation of Crime Prevention Through Environmental Design (CPTED) principles
- Corridor Access Request
- alcohol licence
- any other regulatory document appropriate in the circumstances.

The Council will assess applications on a case-by-case basis against the relevant guiding principles listed under section 6.

The Council will notify the applicant in writing of the outcome. If the Council declines an application, the reasons for the refusal will be provided in writing.

This policy supersedes any approval previously given by the Council and new approvals must be applied for in accordance with this policy. Any current approval with an expiry date may continue until the expiry date or as otherwise stated in the relevant approval.

An approval given under this policy only gives the applicant the right to trade or organise events in the specified public area(s). It is not an approval for the purposes of food hygiene, sale of alcohol, building or resource consent, traffic management, or any other regulatory

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<sup>6</sup> Note that the contracts include a requirement for compliance with all Council Bylaws, plans, and policies.

requirements. Applicants should also check the District Plan's Temporary Activities Chapter provisions to see if a resource consent is also required for the proposed activity.

Note that an approval given under this policy is for the business owner/operator to carry out the specified activity. If the business or operation changes ownership, the new owner/operator will need to apply for a new approval.

The Council may require proposed trading and event activities to carry out further engagement with any affected parties before approval is given. This includes, without limitation, mana whenua, local community groups, residents' associations, Business Improvement Districts, and advocacy groups, such as stakeholders from the disability sector.

### *5.1 Sites and activities*

The Council has identified sites in Wellington's public places that are suitable for trading and event activities. Some have services such as power and water. These identified sites and activities are set out on the Council's website. This list is not exhaustive, and the Council will accept and assess applications against this policy for other public sites not already identified. Sites that are prohibited from trading and event activities will also be listed on the Council website.

For activities on the Wellington Town Belt and reserves (including city parks and public gardens), the Council has identified sites suitable for *stationary* "pre-approved" activities, such as coffee carts, events, and recreational equipment hire. We have also identified reserves and Wellington Town Belt areas where *mobile* "pre-approved" activities such as commercial tour guiding, commercial lessons/instruction, and professional dog walking can take place. Activities allowed on reserves and Wellington Town Belt must be low impact, temporary in nature, consistent with the reserve classification of the land, meet the guiding principles set out in this policy, and be consistent with the relevant management plan.

### *5.2 Site approval process for activity on Wellington reserves*

Activities on Wellington reserve areas are regulated by the Reserves Act 1977 and any management plan that has been adopted for that area. Authorised officers will assess all applications to operate a pre-approved activity at a site listed on our website against this policy, the management plan, and relevant legislation and will approve or decline them.

We will assess applications for any activity or site not identified on the Council's website on a case-by-case basis against this policy, the provisions of the Reserves Act, and any relevant management plan. The applications for sites that are not pre-approved may also require approval from a Council Committee and may require public notification. Under the Reserves Act, the Council can only approve activities on reserve land if the activities promote and are consistent with the classification the reserve land holds pursuant to the Reserves Act 1977 (which includes enabling the public to obtain the benefit and enjoyment of the reserve).

### *5.3 Site approval process for activity on Wellington Town Belt*

Activities on Wellington Town Belt land are governed by the Wellington Town Belt Act 2016, and the Wellington Town Belt Management Plan 2018. Authorised officers will assess all applications to operate a pre-approved activity at a Wellington Town Belt site listed on our website against this policy, the Wellington Town Belt Management Plan, and Wellington Town Belt Act. Under section 17 of the Wellington Town Belt Act, each individual licence to carry out trade or event activity on Wellington Town Belt land will still require approval by the Council or delegated committee. However, further public consultation will not be required for licences of a pre-approved nature that relate to a pre-approved site.

Applications for activities and sites not identified on the Council's website will require assessment against this policy, and the provisions in the Wellington Town Belt Act and Wellington Town Belt Management Plan. Council or delegated committee approval and public consultation will also be required for these activities and sites.

#### *5.4 Approval process for activity on the Waterfront*

Applications to trade and activate public places on the Waterfront are considered against this policy and the Wellington Waterfront Framework. Trading activities for over 30 days and large-scale events may require the Waterfront's Technical Advisory Group (TAG) approval and resource consent.

The Waterfront has a long-established historical and cultural associations with mana whenua of Whanganui ā Tara (Wellington), Taranaki Whānui, and Ngāti Toa Rangatira. Trading and event activities on the Waterfront area may require engagement with Mana Whenua to help preserve the mouri/mauri of these areas. The District Plan sets out the specific provisions for the protection of these areas.

#### *5.5 Managing Sites and Areas of Significance to Māori, Significant Natural Areas, and historic sites*

The District Plan sets out the specific provisions to manage the effects of trading and event activities occurring on sites that are identified as Sites and Areas of Significance to Māori (SASM), Significant Natural Areas, and/or heritage. Any activity occurring on or near SASM listed in the District Plan requires consideration of the intrinsic relationship Mana Whenua has as kaitiaki of these sites and areas. Consultation with Heritage New Zealand may be required to manage activities on any historic sites.

#### *5.6 Review of approval*

The Council reserves the right to cancel, amend, or initiate a review of an approval issued under this policy where the following instances apply, without limitation:

- a. there are non-compliance issues
- b. there are quality and reliability issues
- c. the use of the area is causing public access to be compromised
- d. the activity is likely to interfere with intended works undertaken by or on behalf of the Council or a network utility operator
- e. the purpose of the site changes
- f. urgent action is required for maintenance or to protect the public from unhygienic, unsafe, or hazardous conditions.

#### *5.7 Expressions of interest*

Where there are several similar suppliers wishing to trade in a location or where the Council wants to encourage trading and/or activation at a particular site, the Council may invite expressions of interest. The Council will promote opportunities and invite expressions of interest for trading or event activities in Wellington's public places when available on the Council's website.

#### *5.8 Licence periods for trading*

To encourage more opportunities for trading, which will contribute to greater vibrancy and diversity of activity, trading approvals issued under this policy will generally be no more than two years' duration.

## *6. Guiding principles*

Applications will be assessed on a case-by-case basis. The Council's decisions on approving activities in public places will be reflective of its strategic vision for the city. The following



guiding principles will be considered when assessing applications for trade and event activity in public places:

- a. The extent to which the vibrancy, amenity, visitor numbers, and values of the area are complemented or enhanced.
- b. The impacts on the surrounding urban, cultural, heritage, and natural environments (including cumulative impacts), such as accessibility, infrastructure, parking considerations, the impact on other businesses in the area and/or users as a result of noise, smell, glare, light spill, appearance or any other effects, and whether it is likely to cause a nuisance, obstruction, or a hazard, and whether these impacts have been appropriately mitigated.
- c. Where the activity is located on a footpath or other pedestrian accessway, whether the activity complies with the minimum width guidelines for the continuous accessible path of travel to enhance pedestrian priority and encourage safe walking routes in Wellington.
- d. Whether the activity protects the public's health and safety and utilises Crime Prevention Through Environmental Design (CPTED) principles.
- e. The significance and/or uniqueness of the product or offering, and whether it provides opportunities for the public to participate in diverse and quality activities.
- f. The level of additional benefits, enjoyment, and community use opportunities, and whether the activity contributes to the Council's commitment to promoting personal and community empowerment, health, and wellbeing.
- g. Whether the activity celebrates te reo Māori and recognises mana whenua values, including an assessment of areas that are significant to Māori and where the activity may not be appropriate.
- h. The suitability of a person to hold an approval considering the applicant's experience and track record.
- i. Any preference for mana whenua, Māori, or local providers and where applicable, whether the applicant is a registered charity or not-for-profit organisation.
- j. The extent to which sustainable and environmentally friendly practices are integrated into the operations. Including consideration of how waste will be minimised.
- k. The location of the activity and the degree with which it is consistent with Wellington City Council bylaws, strategies, policies, plans, and the District Plan, as well as other governing legislation. Including but not limited to the Reserves Act 1977, Wellington Town Belt Act 2016, Sale and Supply of Alcohol Act 2012, Food Act 2014, Health Act 1956, Smokefree Wellington Action Plan, Traffic and Parking Bylaw 2021, Accessible Wellington Action Plan, Te Tauihu – Te Reo Māori Policy, and the Solid Waste Management and Minimisation Bylaw 2021.

Note that for trading and event activities on reserves, public gardens, the Wellington Waterfront, and Wellington Town Belt land, applications may be assessed against additional criteria in the applicable statutes and corresponding management plans.

## 7. Fees and charges

Fees, unless specifically stated otherwise for individual activities (or as applicable), will be set in alignment with the Council's Revenue and Financing Policy, the Traffic and Parking Bylaw 2021, the Local Government Act 2002, the Parking Pricing Protocol 2021 and, where relevant, the Reserves Act 1977 and the Wellington Town Belt Act 2016. The fees and charges are reviewed annually. Fees for approvals issued under this policy are set in accordance with the Council's Public Places Bylaw. Fees may include the costs of providing the goods and services, such as:

- administrative costs for assessment and processing of applications

- managing licensing/permitting
- monitoring and enforcement
- maintenance, cleaning, and repairs
- electricity and water supply
- additional resources that the applicant requests or expects from the Council – such as the Council providing higher than normal levels of service on a particular space, extra facilities, equipment hire, security, or extra maintenance.

The Council reserves the right to charge for occupancy of public spaces in addition to the above fees, where applicable. Such a charge would be assessed by the value of the location, and to ensure that businesses on private property are not unfairly disadvantaged. It may include a rental amount and/or an assessment of the opportunity cost (such as loss of potential parking revenue). In some circumstances, the Council may also require a bond.

The applicant is expected to pay the full prescribed fees and/or bond and have all the necessary permits before the approval will be issued.

The decision of whether to charge fees will remain at the discretion of the Council. Fee waivers or discounts may be considered for:

- events or activities for schools, charities, community groups, and not-for-profit groups
- events/activities exclusively associated with children/young people under 24 years of age
- where there is a high degree of significance and benefit to the city, and the public cannot be prevented from enjoying the activity
- photography and filming that is not commercial (as defined in the glossary)
- busking (not street performance on premium sites).

Note that there may be additional fees and charges associated with other consents that may be required for the activity.

## 8. Approval conditions

There are both general and specific conditions that may be relevant to activities that fall under the policy. The conditions and objectives that may be imposed on specific activities under this policy are available on the Council's website.

### 8.1 General approval conditions

The following general terms and conditions may apply for any activity or operation in a public place.

- a. The activity must only operate according to the designated duration and times (hours and days), including the hours of set up and pack down.
- b. With respect to the approved activity or object, safety of all public place users, including pedestrians, motorists, and cyclists must be protected.
- c. The activity or object must be constructed, fixed, and/or placed in a manner that it is not likely to cause a nuisance, unreasonable obstruction, or hazard. Emergency vehicle access must not be impeded.
- d. Pedestrian access must be maintained while the activity is operating, this excludes events and activities where there is exclusive use of a site.
- e. The required minimum continuous accessible path of travel must be maintained on footpaths.

- f. When operating on a footpath, objects are to be placed in line with other permanent footpath objects (eg lamp posts, trees, and rubbish bins) where possible to facilitate accessibility.
- g. Objects and activities must not be placed near mobility car parks or ramps, pedestrian crossings, fire exits, and bus stops.
- h. Objects and activities must be placed so they do not obstruct the visibility of any traffic control device or compromise sightlines from road intersections and vehicle entrances.
- i. The Council may set specifications or requirements on the use of any furniture, structures, containers, audio/projection equipment, stages, equipment, vehicles, and other items associated with the activity.
- j. The activity must be conducted in a manner that does not cause damage to any public property or Council assets.
- k. Objects and activities must be placed so they do not obstruct any entry, egress, and emergency assembly points for private residents and businesses.
- l. Obtaining any other required permits, including any necessary traffic management plan, corridor access request, food plan or alcohol licences, resource consents, etc.
- m. Any activities that involve food services must comply with the Regional Event Packaging Guidelines.
- n. All adventure activity operators (as defined in the Health and Safety at Work (Adventure Activities) Regulations 2016) are required to be registered with WorkSafe New Zealand.

Approval holders must also comply with, where applicable:

- a. any waste management and minimisation, health and safety, accessibility, fire safety, noise, parking and towing and traffic management plan, and/or any conditions of the approval
- b. the Food Act 2014, Sale and Supply of Alcohol Act 2012, and the Council's Alcohol Management Strategy, when food or alcohol is to be sold
- c. safety, health, and hygiene requirements
- d. requirements for public liability insurance
- e. restrictions on the use of amplified music/sound
- f. conditions of required permits from Council Controlled Organisations and partners such as Screen Wellington
- g. conditions under relevant Wellington City Council bylaws, policies, consents, and plans.

## ***8.2 Accessibility guidelines***

Under this policy all activity in public places must ensure that unobstructed accessibility is maintained, recognising that public places are primarily for the enjoyment of all people in Wellington. Improving the city's accessibility will make it more inclusive and help the city remain attractive to residents and visitors of all ages and abilities. At all times placement of activities must observe the SOS principles of universal access – an accessible place is Safe, Obvious, and has Step-free<sup>7</sup> choices.

The Council's Accessible Wellington Action Plan sets out the importance of providing information to support disabled people and their families plan accessible journeys through Wellington's public places. The Council has guidance available to support event organisers make their events accessible for all.

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<sup>7</sup> **Safe** – feeling safe by ensuring survivable speeds; and slow or separate walking routes. **Obvious** – wayfinding that is visual, tactile, and audible. **Step-free** – a safe and obvious step-free, obstacle-free route: no excessive diversions. **SOS – a route that people can negotiate independently.**

The accessibility guidelines of this policy have been informed by the following:

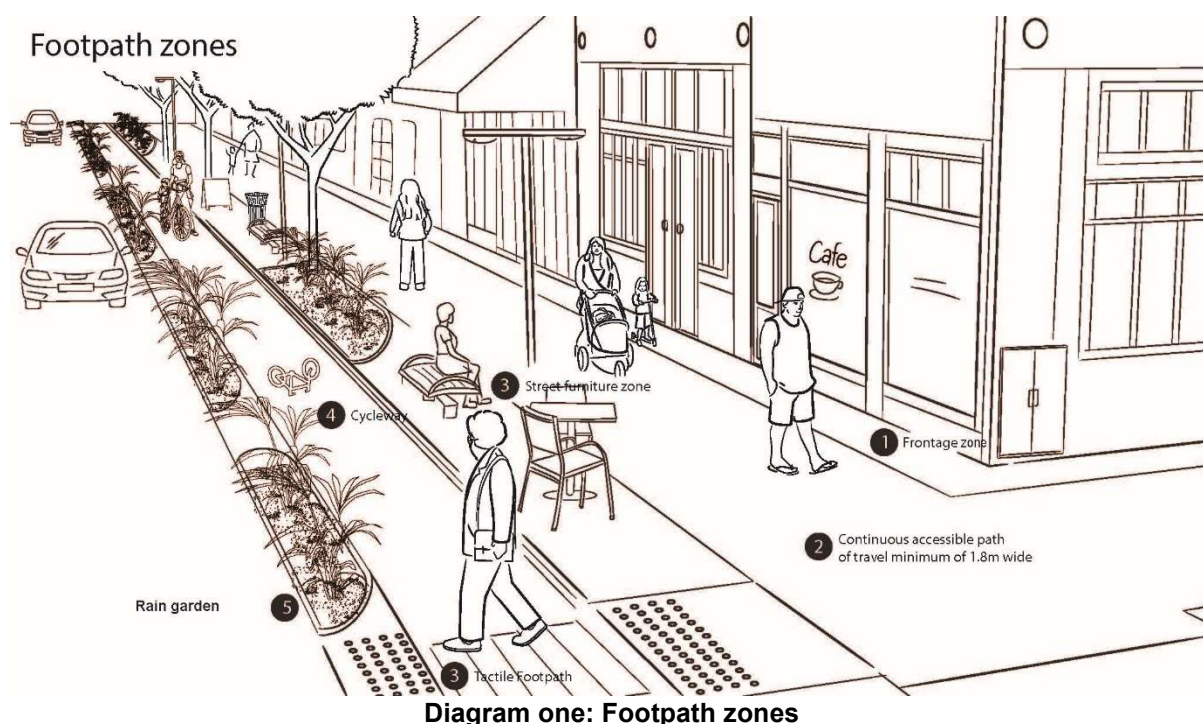
- Waka Kotahi [RTS 14 – Guidelines for facilities for blind and vision impaired pedestrians](#) (2015 – 3<sup>rd</sup> Edition).
- The Council's [Accessible Wellington Action Plan](#).
- The Waka Kotahi [Pedestrian Network Guidance 2021](#).
- The New Zealand Standard [4121:2001](#) Design for access and mobility - Buildings and associated facilities (2001).
- The National Association of City Transportation Officials (NACTO) - [Global Street Design Guide](#).

### 8.2.1 Footpaths

The primary purpose and priority use of footpaths is safe and efficient pedestrian movement. The Council recognises that activities on footpaths such as outdoor dining, retail stands, and busking add to the vibrancy and diversity of our city. However they can interfere with pedestrian flows and create congestion, obstructions, and safety hazards if not managed effectively. This policy requires that placement of activity on footpaths must make sure the *continuous accessible path of travel* (unobstructed footpath through zone) is maintained at all times.

The following priorities apply to the continuous accessible path of travel:

- it needs to be consistent and predictable
- it is positioned adjacent to the frontage zone, as pictured below
- it should be kept free of temporary and permanent obstacles such as sandwich boards, trading activities, seating, rubbish bins, utility poles, and bus shelters.



When placing trade and event activities on footpaths, the minimum width that must be maintained for the continuous accessible path of travel is 1.8m. In areas that have high volumes of pedestrian traffic and/or where Council has widened the footpaths to improve the pedestrian experience, such as the Golden Mile, the minimum width may be wider. The



Council's District Plan, Our City Tomorrow Plan, and Wellington Design Manual<sup>8</sup> will guide how the minimum widths of footpaths and through zones are implemented.

In some instances, the available footpath space is such that the minimum through zone width is unachievable because of the large variation of footpath width and landscapes that exist throughout Wellington. The Council may consider applications for activities on footpaths in these areas if it is safe and appropriate for the pedestrian volumes of that street.

### *8.3 Auahi kore – mandatory smokefree and vape-free*

This policy supports the Smokefree Wellington Action Plan 2019 and the government's goal of becoming a smokefree country by 2025 (where less than 5% of the population smokes). We aim to contribute to Wellington being a healthy place to be.

The Council's contribution to reaching the Smokefree Aotearoa goal is focused on making public places smokefree and having smokefree events in the city. Reducing the visibility and prevalence of smoking supports people to quit, reduces prompts (cravings) to smoke, denormalises smoking, and sets a good example to children and young people. It also helps people who are trying to quit and remain smokefree, and reduces public exposure to second and third-hand smoke.

All approvals issued under this policy will be mandatory smokefree and vape-free. Operators will no longer be entitled to discounted fees for running smokefree events and trading activities.

Operators are required to remove all ashtrays from outdoor furniture and provide adequate smokefree signage. It will be a requirement under this policy that the operator designate a contact person to provide oversight and for the Council to communicate with directly about smokefree issues and data. Operators are encouraged to ensure that any nearby doorways and entranceways remain smokefree, as these are the main entry and exit points for all members of public to use. These areas could also easily become areas where cigarette butts are disposed of.

### *8.4 Display of approval*

Unless exempted, all approvals issued by the Council for trading and event activities must be prominently displayed or available for inspection at all times.

### *8.5 Public liability insurance*

All approvals under this policy will be responsible for claims made against them for personal injury or property damage and are encouraged to hold their own public liability insurance.

There are activities under this policy that will be required to show evidence of public liability insurance. Generally, the required public liability cover for these activities will be \$2,000,000. Any activities that have requirements for public liability cover that differs from this, will be detailed under the specific activity conditions on our website.

### *8.6 Other consents*

Event activities and associated temporary structures that do not meet the required standards under the District Plan will require resource consent. Activities that have temporary structures may need a building consent, exemption approval, and/or resource consent, as well as Council's approval as the landowner to hold the event or activity on public land. If resource consent is required, this will need to be obtained before any building work can commence. The Council website has information to help check whether consent for a temporary structure

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<sup>8</sup> The Wellington Design Manual is being drafted at the time of writing.

is required. It is generally recommended that applicants obtain landowner approval before applying for resource consent.

## 9. Monitoring and enforcement

### 9.1 Monitoring

Approval holders are responsible for managing activities in accordance with the relevant policy guidelines and legislation.

The Council will monitor trading and event activities in public places regularly to ensure that activities are being operated in compliance with the policy, licence, and/or code of conduct conditions, and that no unauthorised trading or event activity is occurring in public places.

Safety considerations remain paramount, and officers retain the option of requiring immediate action in the event of an operator creating a risk to safety.

### 9.2 Enforcement

Where a person does not comply with the conditions of their approval the Council may take one or more of the following steps:

- a. Verbally notify the approval holder of the issue.
- b. Issue a written warning and required remedy to the approval holder.
- c. Review or revoke the approval and take any other steps to prevent the trading or event activity on public land.
- d. Require immediate removal of the activity property.
- e. Enforce any breach of the Public Places Bylaw, as provided for in the Local Government Act 2002, the Land Transport Act 1998, the Health Act 1956, and/or Litter Act 1979.

Individuals or groups that trade or hold events on public spaces without an approval will be asked to remove their material and cease with the activity. The Council may issue a written warning and/or invite an application for an approval. If the infringement persists, the Council will reserve the right to confiscate the event or trading material pursuant to sections 163 and 164 of the Local Government Act 2002. The Council may dispose of confiscated property pursuant to section 168 of the Local Government Act 2002. Reasonable costs incurred as a result of enforcement may be recovered from the person responsible for the non-compliance.

The provisions in the Reserves Act 1977 will apply to any offences or breaches on reserves. The Land Transport Act 1998 provisions may be used for offences on road reserve, where applicable.

### 9.3 Penalties

This policy guides the use of the Council's Public Places Bylaw. Non-compliance with the Public Places Bylaw is an offence under section 239 of the Local Government Act 2002 and a person may be liable to a maximum fine of \$20,000 upon conviction.

## 10. Complaints

Complaints about traders or events may be made to the Council via:

- the Council's website
- phoning 04 499 4444
- emailing [info@wcc.govt.nz](mailto:info@wcc.govt.nz)
- the FixIt App.

When contacting the Council to make a complaint, the complainant should, where possible, provide:

- The name and approval details of the trading, event, or activity operator.
- The time, location, and type of activity.
- Photographs.
- Details of the issues.

Complaints regarding violent, disorderly, or offensive behaviour should be referred in the first instance to the Police, and then to the Council.

## 11. Definitions

In this policy the following definitions are used, unless context otherwise requires:

**Activation** – Is the creation of an event or interaction which enables participants or audiences to engage directly with what is being offered.

**Amenity** – Has the meaning assigned to that term under section 2(1) of the Resource Management Act 1998. It means the natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

**Amusement device** – Has the same meaning assigned under the Machinery Act 1950. It includes any fairground rides and other mechanically powered units that are used for rider entertainment. It includes bumper boats, bungee jumping, and merry-go-rounds. It does not include single, individually propelled machines, such as outdoor go karting operations and jeeps (unless referred to explicitly in the Regulations) or inflatable devices. However these devices still need to meet obligations under the Health and Safety at Work Act 2015 (HSWA).

**Authorised officer** – An officer or other person appointed by the Council to perform duties or give permissions under the Public Places Bylaw.

**Busking** – In the context of this policy, a busker is an entertainer who is actively providing a public performance in a public place in exchange for a donation. Examples include musicians, singers, dancers, magicians, mimes, puppeteers, pavement art, and living statue artists. Busking is a form of street performance.

**Bulk bins** – Is any receptacle used for the collection and/or eventual disposal of waste products by a waste management company. These may include (but are not limited to) metal skip bins, plastic wheel bins, flexi bins, and other similar objects.

**Commercial** – Means selling or hiring goods or services in exchange for payment, reward or otherwise.

**Commercial filming** – The recording of images, moving or still, for commercial purposes or at a scale that may require exclusive use or restrict or obstruct a person's use of a public place. It includes any commercial filming by drones. It excludes the recording of a private celebration or event, or the recording of current affairs or news for immediate release.

**Commercial group fitness training activities** – Outdoor group fitness training activities where the participants pay the fitness/personal trainers to participate in fitness training classes on public land. It includes, without limitation, gym sessions or circuit training (with or without equipment), bootcamps, and boxing and pad training. It excludes organised running, cycling, and walking groups that are non-commercial in nature.

**Commercial lessons and coaching** – Is where participants pay instructors for lessons and coaching for activities that take place on the Council's public places. It includes without limitation, mountain bike coaching and windsurfing lessons.

**Commercial photography** – The recording of images for commercial purposes at a scale that may require exclusive use or restrict or obstruct a person's use of a public place. It does not include student projects, or small-scale and/or non-commercial photography.

**Commercial/professional dog walking and training** – Is a business where dog walkers or handlers walk and/or train groups of dogs in public places in exchange for payment.



**Commercial tours or guiding** – Is a business where an operator/leader guides or leads a group of participants or tourists in exchange for payment. Examples include mountain bike tours, public garden tours, 4-Wheel Drive tours, and Wellington Town Belt Tours.

**Dangerous materials or objects** – Are materials and objects used by street performers that could be a risk, or hazard to the public and performers. They include, without limitation, flammable materials and chemicals, fire, smoke, flares, whips, knives, and chainsaws.

**Drones** – Also known as UAVs (unmanned aerial vehicles), RPASs (remotely piloted aircraft systems) and unmanned aircrafts. Approval is required under this policy for commercial use of drones, such as filming, data gathering, surveying, and scientific research.

**Continuous accessible path of travel / unobstructed footpath through zone** – Is the unobstructed area on footpaths where the pedestrian route is safe and convenient for everyone, especially people with impaired mobility, and people who are blind or have low vision. It has even surfaces, gentle slopes, and is kept free of permanent and temporary obstacles at all times.

**The Council** – The Wellington City Council or any committee or elected member of the Council or officer authorised to exercise authority of the Council.

**Event** – Is an organised temporary activity or activation that takes place on one or more days including, without limitation, an organised gathering, parade, protest, wedding, private function (which is independent of premises), festival, concert, celebration, multi-venue sports event of a significant scale, fun run, marathon, duathlon, or triathlon. For the purposes of this policy an indoor performance, indoor private function, tasting and sampling activity, giveaway, market, sports practice, or training is not an event.

**Community/neighbourhood event** – Is where the target audience is a particular community or celebrates a particular community (geographic communities or communities with a shared interest or culture). It includes small-scale, low-risk events which are approved by the Council to be run on public land. Community events are typically organised by local communities for locals.

**Expression of Interest** – In the context of this policy, an expression of interest is when an individual or group provides information to demonstrate their suitability, interest, and availability in an opportunity.

**Face-to-face fundraisers** – Are charity-based fundraisers who raise ongoing, regular subscriptions or donations (usually by direct debit or credit card) from donors through face-to-face street fundraising.

**Footpath** – Means a path or way principally designed for, and used by, pedestrians; and includes a footbridge.

**Market** – Any public place where there is more than one stall at a common location offering goods and/or services for sale or hire, whether for commercial or charitable purposes.

**Micromobility device** – Transportation using small, lightweight vehicles such as bicycles, skateboards, or scooters. Public micromobility share schemes refers to part of a self-service scheme in which people hire micromobility devices, usually electric, for short-term use within a town or city.

**Mobile shop/trading** – Is a contrivance, whether self-propelled or not, standing in a public place and from which goods or services are offered or exposed/displayed for sale. It is a

temporary trading activity from a location that can be vacated once trading has ended for the day. Examples include stalls, kiosks, coffee carts, and food trucks.

**Obstruct** – Is to impede, interfere with or block pedestrian or vehicular traffic or access on, to or from a public place.

**Outdoor dining** – Is where part of a road, Waterfront, or other public place is used by an adjacent business premises for the purpose of providing food and/or drink.

**Parklet** – A public space created from an on-street car parking bay.

**Pavement art** – Also known as street art, street painting, and sidewalk art, is the performance art of rendering artistic designs on malls, streets, Waterfront, and other public places. It does not include passively sitting or standing next to pre-fabricated, static or commercial brand displays, or portraiture/caricature. In the context of this policy, pavement art is a form of busking and street performance.

**Public place** – Any area of a public nature that is open to or used by the public, whether free or requiring payment, which is owned, managed, maintained, or controlled by the Council or Council Controlled Organisation. It includes any road, street, footpath, court, alley, lane or accessway, park, recreation ground, sports field or facility, reserve, beach, Wellington Town Belt, Waterfront, pool, pedestrian mall, wharf, breakwater, boat ramp, pontoon, public open space, community facility, cycle track, bridleway, public garden, berm, grass verge, public square, cemetery, foreshore and dune, accessway, square, and carpark, and any part of the public place. Public place does not cover private roads, state highways or other roads under the control of the New Zealand Transport Agency, except where responsibility has been delegated to the Council.

Explanatory note: Reserves, city parks, and beaches are also governed by the Reserves Act 1977, and the Wellington Town Belt is governed by the Wellington Town Belt Act 2016. The Waterfront is managed in accordance with the Wellington Waterfront Framework.

**Recreation equipment hire** – Any equipment hired or rented out for recreational purposes such as kayaks, canoes, boats, surf boards, hover boards, bicycles, Crocodile Bikes, roller blades, or scooters. It can also include electric assisted recreational equipment such as e-bikes and electric scooters.

**Reserve** – Is an area of land classified and managed under the Reserves Act 1977.

**Reserve Management Plan** – Is an adopted management plan for any park, reserve, or other type of open space under the Reserves Act 1977.

**Retail display** – A small structure used by businesses to help increase sales and attract customers into shops. They are deemed to be an extension of the retail display inside the shop.

**Road** – Has the meaning assigned to that term under section 2(1) of the Land Transport Act 1998 and its amendments.

**Sandwich board** – Is a portable sign used as an advertisement tool with messages and/or graphics on it placed on footpaths or other public places.

**Street appeals** – A coordinated and organised event by organisations that ask for, or seek, any collection or donation from members of the public (both monetary and written via a petition or survey). Street appeals can involve one or more people and can operate at more than one location at the same time.

**Hawking** – Is selling goods and services informally and without invitation. For the purposes of this policy hawking is a form of touting. It does not include mobile trading but includes trading from a vehicle and only stopping long enough to sell to a customer, for example Mr Whippy.

**Spruiking** – Is the use of voice to generally promote or advertise goods and services to passing pedestrians on a street or in a public place.

**Street appeal** – Means coordinated and organised events by organisations who ask for, or seek, any subscription, collection, or donation from members of the public, and usually involves more than one collection person operating at the same time.

**Street performance** – Means entertainment on or in a public place, and includes a musical, dramatic, or other performance involving musical, theatrical or circus performance skills including busking, playing musical instruments, dancing, singing, clowning, juggling, pavement art, poetry, or doing other acts of a similar nature. In the context of this policy, street performers refer to a ‘professional busker’ who performs as one of their main income sources, has a repertoire that would enable performing for at least 30 minutes without repeating a song, and has a website, YouTube, Facebook, or other profile.

**Temporary activity** – Any activity that is temporary in nature and removed when not in use. Note that ‘Temporary’ has a different meaning for Wellington Town Belt land.

**Temporary structure** – Are short-term structures that are constructed for an activity or event and then dismantled and removed as soon as the event or activity has finished. Temporary structures can include marquees, hoardings, scaffolds, seating, bleachers, stalls, stages, and temporary ablutions.

**Touting** – Is attempting to sell something typically by a direct or persistent approach. It includes hawking and spruiking. All touting activities require approval from the Council.

**Trading in a public place** – Is an activity, whether it is a one-off or a series of activities, undertaken by any person or organisation involving the sale or the offering of goods or commercial services for payment, reward, or otherwise in a public place. Trading goods means all structures, items, furniture, screens, barriers, objects, stalls, signs, vehicles, and any other equipment associated with the trading activity.

**Traffic Management Plan (TMP)** – Is a standardised legal document written by a qualified individual that details how a safe environment will be created for all road users while work or activity takes place on the roading corridor (road footpath or berm). The plan will detail all signage, temporary traffic controls and detours (if necessary) to allow the activity to take place.

**Vehicle** – Has the same meaning assigned to that term under section 2(1) of the Land Transport Act 1998 and its amendments.

**Waterfront** – Is the area comprised of property owned by Wellington Waterfront Limited between Herd Street and the birth end of Lady Elizabeth Lane. These properties are managed by the Council.

**Wellington Town Belt** – Is an area of land classified and managed under the Wellington Town Belt Act 2016.

**Wellington Town Belt Management Plan** – Is the adopted management plan for any part of the Wellington Town Belt under the Act.





## Schedule A: Specific approval conditions<sup>9</sup>

Council approval is required for all trading and event activities operating on public land. As well as the general approval guidelines in the policy, the following are conditions related to specific activities under the policy.

Note that this list is not exhaustive. For any activity not specifically listed, the Council will need to be contacted to discuss the approval required for the activity.

### 1. Amusement rides and devices

As required under the Amusement Devices Regulations 1978, amusement devices and rides need to first be registered with WorkSafe New Zealand by the device owner. The device needs to be inspected and fee paid to regulatory team from the Council as set out in the Regulations.

If the device or ride is to be erected on public land, the Council's approval as landowner is also required under this policy.

### 2. Bulk, waste, recycling, and skip bins

Waste and recycling bins should only be put on footpaths, road reserve or in another public place during collection times and they are not to be regularly stored in or on a public place at any other time.

Under this policy, Council approval is required prior to bulk bins being placed on public land. Bulk bins are not permitted to be placed on any Wellington footpaths. The Council's Public Places Bylaw regulates the placement of bulk bins on public land, including parking spaces.

### 3. Busking and street performance

Buskers and street performers help to enhance Wellington's reputation as the vibrant, diverse, inviting, and inspiring capital. The Council welcomes the opportunity to support high-quality street performances. It will take into account the needs of residents, businesses, pedestrians, and street performers. These guidelines have been developed to help performers, residents, pedestrians, retailers, and visitors understand the rules around performing on Wellington's streets, while still supporting a vibrant street performance culture.

The following conditions apply to all buskers and street performers wanting to perform in public places:

- a. Busking approvals are issued to individuals or groups.
- b. Approvals cannot be transferred to other performers.
- c. Performers under the age of 12 must have parental or legal guardian consent to apply for an approval. The Council recommends that street performers under twelve are supervised by an adult at all times when performing.
- d. All buskers and street performers must have their licence and photo identification on their person while performing.
- e. There are specific areas and times where amplified busking is not allowed, see Sound Performances section below.
- f. Sites may move, be temporarily unavailable or permanently removed at the Council's discretion.
- g. If a street performer is performing immediately outside retail premises and is asked by the retailer to move on, they must do so.

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<sup>9</sup> Note that this schedule was included as part of the Statement of Proposal July 2021 but will not be included as part of the final policy. The information contained in this schedule will be included as guidelines, which will be available on our website.

- h. Street performers or their audiences must not at any time block footpaths, residential doorways, bus stops, pedestrian crossings, fire escapes, or shop doorways (during business hours).
- i. A busker can only perform at one site for a maximum time of 90 minutes per day. This allocated time includes both performance and non-performance time (set up, breaks, and pack down).

Busking and street performances add to the vibrancy of the city and are also a valid way for people to make money, but members of the public should not feel coerced to give money. Buskers and street performers can have a written sign asking for donations and can ask the audience for donations, but they cannot approach individuals for money.

Provided they are not using dangerous materials or objects, performers employed for a scheduled event approved or organised by the Council (including protests, community festivals and commercial promotions) do not need an individual busking or street performance approval for that event. However, organisers of the event must ensure that the policy conditions are complied with.

### 3.1 Sound performances

The Council will consider how the sound performance might adversely impact on the amenity of the area, with special regards to noise levels. Sound performances should not reach an unreasonable level of volume and should be considerate of pedestrians and the public. As a guide only, noise from any street performance should not be greater than reasonable background noise when heard from more than 30 metres, horizontally or vertically, from where the performance is taking place. For detailed requirements, applicants should refer to the District Plan rules for the area.

The following special conditions apply to sound performances:

- a. Sound performances that meet all busking and street performance conditions are allowed in any public place in Wellington between 7am and 9pm<sup>10</sup>.
- b. Between the hours of 9pm and 3am on Friday and Saturdays only certain areas are available for street performance. These are listed on our website.<sup>11</sup>
- c. Sound performances that receive complaints may be requested to setup in different locations and times through a special condition on the licence.
- d. Sound performances should be separated by a minimum distance of 50 metres between acts.
- e. The Council reserves the right to place special conditions on busking and street performance approvals such as amplification limits and restrictions on drums and bag pipes.

### 3.2 Street performers

The Council has designated premium sites throughout Wellington for street performance. These sites will be available for street performers (professional buskers) only and will require a *premium busking approval*. Information about the sites and approvals will be provided on our website.

Street performers require special approval to use **dangerous materials or objects** in their performance. The locations available for street performance involving dangerous materials and objects are provided on our [website](https://wellington.govt.nz/certificates-and-licences/street-performance-and-busking)<sup>12</sup>.

<sup>10</sup> The Council reserves the right to specify areas and times where no amplification is permitted.

<sup>11</sup> <https://wellington.govt.nz/certificates-and-licences/street-performance-and-busking>

<sup>12</sup> <https://wellington.govt.nz/certificates-and-licences/street-performance-and-busking>

The following special conditions apply to performances using dangerous materials or objects:

- a. Performers are required to be skilled and experienced in using dangerous materials or objects.
- b. A health and safety plan may be required.
- c. Fireworks are not permitted in street performances.
- d. The performance space must be defined by setting a visible boundary of at least two metres between the performer and the audience, for example, using a rope, chain, or chalk line that is removed once the performer has completed the act.
- e. The Council reserves the right to withhold permission for street performances involving fire if a fire ban is in force in the city.
- f. The only flammable liquid/hazardous substance permitted in street performance acts is kerosene. No other flammable liquids or hazardous substances will be permitted.
- g. A fire blanket or fire extinguisher must be part of performance kits when using fire, and it must be visible and accessible throughout the performance.
- h. Kerosene must be stored in portable, unbreakable, closed containers of a 5-litre maximum capacity and clearly labelled 'Kerosene/Poison'.
- i. Kerosene fuel should be prevented from being dripped, tipped, or flicked onto people, vegetation, or property. Any kerosene stains on ground surfaces must be removed immediately following the end of the performance.
- j. It is recommended that street performers using dangerous materials or objects in their performance have at least \$1,000,000 public liability insurance cover.

### **3.3 Pavement art**

Another form of busking and street performance is pavement art – design, drawing, images, and decals. Approval is required for pavement art in Wellington and the following conditions apply:

- a. It must be temporary.
- b. An agreed timeframe and removal plan are in place and agreed with the Council.
- c. The art is removed when it is no longer needed or relevant.
- d. It is not permitted on footpaths.
- e. It is only permitted in certain areas of Wellington, which will be listed on the Council's website.
- f. Materials used must be easily washed off without leaving any residue.
- g. The materials must not be slippery or create a trip hazard.
- h. If the pavement art is created on a removable surface, such as plastic, canvas or paper/card, and is fixed to the pavement, it must be with a product that does not leave any residue.
- i. The site must be kept clean, tidy, and safe at all times.
- j. Commercial advertising is not permitted.
- k. Offensive material and/or images is not permitted.

The sale of any goods as part of the street performance activity requires a separate trading permit.

## **4. Commercial/professional dog walking, handling, and trainers**

Professional dog walkers, handlers, and trainers<sup>13</sup> require approval under this policy to operate in public places. The rules for professional dog walkers and trainers operating in public places include minimising the:

- a. negative impact or conflict with other public space users

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<sup>13</sup> Note, in this policy professional dog trainers only refers to those trainers operating in public places, and does not include those operating in licensed areas for dog training purposes.

- b. damage to public spaces amenity and assets.

Under this policy, professional dog walkers, handlers, and trainers must complete the Council's annual registration course before they can obtain approval to operate in public places. The course sets out the rules and conditions for operating in our public places. All professional dog walkers, handlers, and trainers must comply with the Dog Control Act 1996 and the Council's Dog Policy 2016 which set out that dogs must be kept under control at all times.

## **5. Commercial group fitness activities, lessons, coaching, and tours**

The Council wants to promote active and healthy lifestyles and provide opportunities for people to engage in physical exercise and enjoy the visitor experience in our parks and other open spaces.

Organisers of commercial fitness groups, classes, lessons, and tours that take place on public land must first obtain Council approval.

General rules for use of public places:

- a. At all times the operator must conduct the activities in a manner that does not adversely affect the environment, any other user(s), and private residents or businesses.
- b. Activities should generally be conducted between 5am and 10pm.
- c. There may be a maximum number of participants in each class, which will be dictated by the specific location characteristics.
- d. Ensure participants do not step on, or walk on, or in any other way inappropriately use the Council's furniture, structures, public art works, shrines, or memorials.
- e. Ensure activities do not dominate, monopolise, and/or obstruct any stairways or pathways.
- f. Ensure the natural features, animals, plants, or historic resources within the area are not interfered with, removed, damaged, or endangered.
- g. Ensure any area used is left clean after each period of use and/or in the same condition it was at the commencement of use.
- h. The operator shall cover the costs of any damage caused to the Council's assets and/or any cleaning required as a direct result of the training activity.
- i. Any equipment used must be portable by hand and free standing at all times (ie equipment must not be pegged into the ground or hung from trees).
- j. All vehicles belonging to or directly associated with the operator must use only designated car park facilities unless otherwise agreed with the relevant Council business unit.
- k. No advertising material such as signs, 'A' frames or banners are permitted to be used to promote the activity. The exception to this is a single sign that indicates a session is in progress. These signs must be free-standing, not attached to any Council fixture or trees, and not block public access to different spaces.
- l. The Council reserves the right to restrict the handing out of promotional material such as flyers and brochures.

The following conditions apply to group fitness activities, lessons, coaching, and tours that are stationary (ie not transitory or moving around a park or open space):

- m. The activity must run for no longer than 90 minutes, including set up and pack down.
- n. The operator does not have exclusive use of any area at any time. This means they can only use any area while a session is in use, cannot set up any semipermanent



space, and must take all equipment away from any open space when a session is not in-progress.

- o. If there are members of the public in the area at the time the operator sets up and the class is unable to move location, the operator needs to give them at least ten minutes notice to vacate the site.
- p. The Council may, at its discretion, instruct an operator relocate their activity.
- q. Wear and tear on grassed areas or tracks must be minimised (this includes avoiding wet and boggy areas, rotating activity within an area and/or alternating activities, if more than one).

For fitness groups, the following equipment is expressly prohibited in public places:

- r. large gym equipment or anything that attaches to any park fixture or trees (for example, weight benches, weight stacks, stationary bikes, punching/boxing bags, treadmills, steppers)
- s. whistles and megaphones.

## **6. Events**

The Council's Events Policy 2012 articulates the Council's vision, role, and plans for the events sector. The Council welcomes events in our city's public places as they add to our city's vibrancy and diversity and can make Wellington an exciting place to be. However, to minimise disruption to pedestrians and other users, events held in a public place require the Council's approval as soon as reasonably practicable prior to the event so that any required waste, accessibility, health and safety, and traffic management plans can be developed.

The overall event approval covers all the activity that takes place within the event's footprint. For example, for events that include performance, the individual performers are not required to hold street performance licences as the event organisers are responsible for ensuring the performance complies with the conditions.

For events with food stalls or trucks, the event organiser needs to ensure that the individual stallholders have a food registration certificate and meet any requirements of the Council's Public Health Team and the Food Act 2014.

Event organisers will also need to ensure the activity meets the rules and standards in the Temporary Activities Chapter of the District Plan. Resource consent may also be required if events do not meet these standards.

The public liability insurance cover required for events will be assessed on a case-by-case basis and will depend on the scale and activities involved in the event.

### **6.1 Community events**

The Council aims to support community events in the interests of supporting community inclusiveness, connectivity, and wellbeing. This policy commits to improve opportunities and information for community events by providing updated guidance on areas such as accessibility, hazard management, and health and safety planning.

### **6.2 Protests**

The Council is committed to protecting fundamental rights and freedoms such as the right to freedom of expression and freedom of peaceful assembly. If you are planning a protest that might affect other people's access to or use of public space or to vehicle traffic, you are required to provide advance notice to the Council.

It is advised that you give us at least three weeks' notice so we can assist you with health and safety, and traffic management plans. It is strongly advised that you contact the police to advise them of your planned protest.

## **7. Markets**

Any group or individual interested in establishing an open-air market in a public place should contact the Council. The Council will assess applications to establish an open-air market on a case-by-case basis against this policy. Market stall applicants must approach the market organiser directly for a site. Note that resource consent may also be required, in accordance with the District Plan.

## **8. Mobile trading**

The Council welcomes operators to trade from multiple locations throughout Wellington. Operators can only trade from their exact approved location(s). Details of the mobile trading vehicle and any associated signs or display must be provided to the Council. The hours or days that the mobile trading shop or vehicle occupies a public place at any one time will also need to be provided.

A mobile trading licence may be issued which allows trade at multiple approved locations in Wellington per year. A mobile trading licence does not give operators a lease or any permanent use of the public land. Parking restrictions and road rules must be complied with at all times.

## **9. Outdoor dining**

Outdoor dining can add to the city's vibrancy and contributes to Wellington's sense of place if well designed and located. It can also add significant value to cafes, bars, and restaurants through increased customer capacity and demand. However, if outdoor dining is not managed well, the furniture can clutter public places and create obstacles for pedestrians.

Each outdoor dining furniture element to be located within an approved area is deemed to constitute a temporary obstruction. This may include, but is not limited to, tables, chairs, menu boards, umbrellas, heaters, potted plants, queueing furniture, and barriers or fences. The following rules apply to the placement of outdoor dining furniture:

- a. It will not interfere with safe and efficient pedestrian movement and if on footpaths, the minimum continuous accessible path of travel is maintained.
- b. It must be located outside the approval holder's premises.
- c. Barriers or markers may be required to delineate the approved area, pedestrian thoroughfares, and the area licensed for alcohol consumption.
- d. Unobstructed access to and from the premises must be maintained.
- e. There must be sufficient space for easy movement of chairs and people.
- f. All furniture should be high quality, durable, waterproof, and weather resistant, designed for outdoor use and well-maintained.
- g. The type of any proposed heating devices must be identified, and the required safety features.
- h. All furniture should integrate well with the surrounding environment and must be safe.
- i. All furniture must be stored away from public areas outside of the hours specified on the licence.

It is the approval holder's responsibility to reasonably ensure that any items placed on the footpath remain in their designated locations, if shifted by the wind or patrons. Licensees may be required to submit a proposed pedestrian thoroughfare and traffic management plan. If alcohol is to be supplied, served, or consumed it is the approval holder's responsibility to ensure compliance with the Sale and Supply of Alcohol Act 2012.

Outdoor seating will not be permitted on street corners with pedestrian crossings or near entry points of designated pedestrian crossings. Requests from businesses for seating approvals above ground level are unlikely to be approved because of the management responsibilities required. If there is not enough space on the footpath to safely place outdoor furniture, the Council should be contacted to discuss options.

### **10. Public micromobility share schemes**

Commercial operators of public micromobility share schemes will require a licence to trade in a public place. The operators will be subject to prohibitions and restrictions imposed by the licence and Code of Practice.

The prohibited and/or restricted areas for the riding of commercial micromobility devices will be set out as conditions in the Code of Practice.

They are not allowed in designated cycle lanes<sup>14</sup> that are part of the road, and they are not permitted on footpaths in the following areas:

- Cuba Mall
- The Botanic Gardens
- Bolton Street Cemetery
- Ōtari-Wilton's Bush
- Truby King Park
- The Golden Mile

A minimum of \$5,000,000 public liability insurance is required for any public micromobility shared schemes.

### **11. Parklets**

Parklets are the setting aside of road corridor land for a use not related to traffic. When parklets are used commercially or privately for trading or event activities, approval will be required under this policy for the activity.

### **12. Retail displays**

Retail displays are considered an extension of the goods or services inside the shop. High quality retail displays can enhance the variety and vitality of footpaths. However, if they are not properly managed, they can create obstacles for pedestrians and impede pedestrian flows.

The following rules apply to retail displays:

- a. Must be relevant to the goods or services sold within the shop.
- b. Retail displays should be located within the width of their building frontage. They must always maintain the minimum continuous accessible path of travel.
- c. The stand must be elevated from the ground and have a solid base extending to the outer edges of the display.
- d. Retail displays must be secured, not have sharp edges or protrusions that may create an obstacle or a safety hazard.
- e. Displays must not block footpaths, doorways, bus stops, fire escapes, mobility parks, or roads.
- f. Alcohol, knives, firearms, or dangerous and offensive objects must not be displayed.
- g. The retail display is not a point of sale, all items must be purchased inside the premises.

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<sup>14</sup> At the time of writing, micromobility devices are not allowed in designated cycle lanes that are part of the road but this may change as Waka Kotahi NZ Transport Agency and Ministry of Transport review the legislation that covers transport devices.

- h. The stand must not use voice, music, amplified sound, or any other material to attract customers.
- i. The stand must be removed from the public space outside of business hours.
- j. Any hanging goods must have a minimum of 2.5m clearance from the footpath.
- k. Food displays must comply with any requirements of the Council's Public Health Team and the Food Act 2014.

### **13. Sandwich boards**

Sandwich boards will be provided for in the Council's Signage in Public Places Policy (under review). In the context of this policy, sandwich boards must hold a current approval to be placed on public footpaths and other public places.

The following rules apply to the placement of sandwich boards on footpaths:

- a. The pedestrian priority principle must be applied, and the minimum continuous accessible path of travel maintained.
- b. They must be placed at the kerb edge of the footpath adjacent to the relevant premise.
- c. Sandwich boards should be positioned in line with other obstructions, such as other sandwich boards, veranda or street sign poles, and rubbish bins.
- d. Access to or egress from the premises must not be obstructed.
- e. No sandwich boards shall be approved adjacent to bus stops, mobility parks, taxi stands, or pedestrian crossing locations.
- f. Sandwich boards may not be attached to fixed or temporary street furniture without prior written approval from the Council.
- g. The approval holder is responsible for ensuring the sandwich board remains located in the designated position, including if moved by pedestrians or wind.
- h. Sandwich boards must be removed from the footpath outside of the business's trading hours.

The following rules apply to the design and quality of sandwich boards:

- i. Information on the boards must comply with relevant Advertising Standards Authority requirements.
- j. They must have a wide base which can be identified easily by people who are blind or have low vision. To improve visibility, the base or a strip on the base must be of a colour in contrast to the footpath.
- k. Should be safe and have no sharp edges or protrusions that may create an obstacle or a safety hazard for pedestrians. Rotating designs will not be approved anywhere in Wellington.
- l. The maximum dimensions are 600mm wide by 600mm deep by 900mm high.
- m. They must be weighted to ensure stability and must be taken inside when there is a risk that wind gusts may topple them or change their position. Bases designed to be weighted by water must be kept in operating order.
- n. To prevent them collapsing in windy conditions, easel-type boards must have a mechanism that locks them in their open position.
- o. Must be kept in a clean and tidy condition.

### **14. Street appeals and charity face-to-face fundraisers**

The Council aims to support organisations with their street appeals and charity fundraisers in a managed way to minimise conflict with other activities on public spaces such as pedestrian movement and retail activity.

The following conditions apply to all street appeals and face-to-face fundraising:



- Collectors and fundraisers must not obstruct or pursue members of the public to solicit a donation or subscription.
- Collectors and fundraisers are to be clearly identified and display the name of the organisation and the appeal. Face-to-face fundraisers must wear Council approved identification at all times.
- Pedestrian access is to be maintained at all times.
- No furniture is to be used in conjunction with the activity.
- Rubbish is to be kept to a minimum and collection areas must be left clean and tidy.
- No more than three collectors at any one collection point.

The Council rosters the annual street appeals. National charities that have a designated street appeal date are given special consideration. Applications for a street appeal approval require evidence of the organisation's legal structure and non-profit status. The number of street appeal collectors and proposed collection locations must be provided to the Council, which will be made publicly available.

A fee is not required for street appeals and charity face-to-face fundraisers; however all collectors must comply with this policy.

The Council works with the Public Fundraising Regulatory Association (PFRA) to roster the charity face-to-face fundraisers. All face-to-face fundraisers must be a member of PFRA under this policy. The PFRA website sets out the rules and code of conduct that all face-to-face fundraisers must comply with. It also sets out the complaints process and form. If the public have any concerns about fundraiser's behaviour, PFRA will investigate. As part of their investigation, fundraisers may be required to be re-trained, or further observed by the PFRA. Should a fundraiser be found to be breaking any rules, PFRA can issue fines and penalties, including standing the fundraiser down.

The PFRA website hosts an interactive map which shows the approved site locations and the days and times the site can be used by fundraisers. The Council's website will integrate this information with links to the PFRA website.

### **15. Other activities**

For activities not specifically listed in this policy, contact the Council to discuss whether an approval is required for the activity. Applications for approval to undertake trading or event activities other than those identified will be assessed against this policy on a case-by-case basis.

## **Draft**

# **Trading and Events in Public Places Policy 2021**

## **Statement of Proposal**

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## Introduction

We are reviewing our policies that set the framework for how we manage our public places in Wellington.

Our public places are important—we use them to socialise, play, and work. We want them to be lively, active, and safe for everyone to use. There are times when exclusive use of space is requested and uses can conflict. The Council needs some rules and guidance on how these spaces are managed.

At the moment we have two policies that govern how we manage trading and event activities on our footpaths and public places: The Footpath Management Policy and Trading in Public Places Policy. There is cross over, so we are proposing that we integrate both policies into one Trading and Events in Public Places Policy. Some spaces, such as reserves and Wellington Town Belt, are also regulated by their own legislation<sup>15</sup> and need special consideration which is covered in the proposed policy.

The current policies are out of date, so we have drafted the new combined draft policy to be much broader in scope. It sets out the guidelines for licensing a range of activities that are already happening in our city.

This document includes this draft policy and two schedules (which are not part of the policy). We would love to hear your thoughts on this draft.

## 1. Have your say

Please let us know what you think about the review and proposed Trading and Events in Public Places Policy.

To have your say about the proposed policy you can:

- make a submission online at [www.wellington.govt.nz/haveyoursay/consultations](http://www.wellington.govt.nz/haveyoursay/consultations)
- download a submission form from the website and email it to [policy.submission@wcc.govt.nz](mailto:policy.submission@wcc.govt.nz)
- fill in the submission form and send it to:  
Freepost 2199  
Trading and Events in Public Places Policy (TEPPP) Review  
Policy Team 259  
PO Box 2199  
Wellington 6140
- drop off a completed submission form to Arapaki Service Centre at 12 Manners Street.

Printed copies of this Statement of Proposal are available from:

- Arapaki Service Centre
- Libraries
- by emailing [policy.submission@wcc.govt.nz](mailto:policy.submission@wcc.govt.nz)
- phoning 04 499 4444 to request a copy.

If you wish to make an oral submission to Councillors, please indicate this on the submission form and ensure that you have included your contact details. We will contact you to arrange a time for you to speak. Written submissions open on Wednesday 7 July and close at 5pm on Monday 16 August.

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<sup>15</sup> [The Reserves Act 1977](#) and [The Wellington Town Belt Act 2016](#)

## Summary of proposed changes

We are making recommendations to:

- Develop a Trading and Events in Public Places Policy that will include events held in public spaces.
- Revoke the current FMP and TPPP.
- Widen and future proof the policy scope.
- Ensure the value of trade and event activities in Wellington's public places is recognised.
- Make the decision-making criteria for assessing approvals for activities in all public places and fee structures consistent across the Council.
- Develop a framework for assessing and approving licensed activity on reserves, city parks, and Wellington Town Belt, which meets legislative requirements and enables a proactive and positive approach.
- Identify and promote more public space trading sites, review licence periods, and invite Expressions of Interest when opportunities arise.
- Align accessibility requirements with national and international guidelines.
- Make sure all approvals are smokefree.
- Encourage and support community events by improving application and approval processes and website information.
- Encourage quality busking and street performance (including pavement art).
- Make information about street appeals and charity face to face fundraisers in public places publicly available.
- Require approval for activities that exclusively use of public space and/or have an impact on the land or other people using it, such as commercial group fitness, commercial tours, bulk bins, professional dog walking, pavement art, and commercial filming and photography.
- Provide guidelines for creative hoardings in public places.

## 2. Introduction and reasons why we are reviewing the policies

Trading and events can make our city more vibrant, diverse, inviting, and inspiring. The Council recognises that exciting and vibrant public spaces can also increase public safety and inclusivity as more pedestrians engage and take part in trading and event activities. The valuable contributions these activities can make to local communities, culture, and economy is also recognised.

This Statement of Proposal relates to a review of the Footpath Management Policy (FMP, 2007) and the Trading in Public Places Policy (TPPP, 2006 with revisions in 2014). The policies have been reviewed because they are no longer fit for purpose and the scope of both policies is limited and narrow.

The current Footpath Management Policy (2007) covers the following activities:

- Outdoor dining
- Street events
- Sandwich boards
- Street appeals
- Busking
- Events
- Retail displays
- Parades
- Festivals
- Marches/protests



~~The scope of the current Trading in Public Places Policy (2006 with revisions in 2014) is:~~

- ~~• Hawking~~
- ~~• Open air markets~~
- ~~• Organised commercial fitness classes~~
- ~~• Temporary retail and food stalls~~
- ~~• Recreational equipment hire~~
- ~~• Retail kiosks~~

~~The types of trading and event activity occurring on public land has changed. There are a range of activities that were not anticipated or covered by the current policies, such as public micromobility share schemes, amusement devices and rides, commercial tours, use of parklets, and mobile trading. It is proposed the new policy will provide guidelines and require approval for these. It is also proposed that the scope is widely defined to anticipate future trading activities as they come up. The current policies don't cover all Council-managed land, and areas like the Waterfront and Wellington Town Belt were excluded. The proposed policy allows for trading and events on all Council-owned and managed land and will address the complexities that exist with some land types, such as reserves and Wellington Town Belt.~~

~~There are new strategies, policies, and plans that the Council has adopted since these policies were first written, and the FMP and TPPP do not now align with these. This proposed policy is aligned with objectives of relevant Council plans, strategies, and policies (see Diagram 2: Strategic fit).~~

~~The FMP primarily regulates the management of trading activities on footpaths. It also covers the Council's management of how major events and other special occasions such as sporting events, holidays, and movie premiers use public space. It also includes street events such as parades, festivals, marches, protests, and the distribution of fliers or free samples. The FMP does not provide for the placement of permanent activities or design of our footpaths. This will be covered in the Wellington Design Manual (to be drafted) and the standards in the District Plan (under review).~~

~~The TPPP covers trading activities in other public spaces but does not include events.~~

~~The proposed Trading and Events in Public Places Policy will explicitly provide for events in all public places. The intention is to set out the guidelines for how events use public space in this policy. This proposed policy does not cover the Council's strategic vision for events in the capital, which is provided for in the Events Policy 2012.~~

~~Because both policies provide for activities on public land and the decision-making criteria for assessing activities are similar, we propose to merge them into one comprehensive policy to cover trading and event activity in all public places. If the proposal is approved, it is recommended that both the FMP and TPPP are revoked.~~

~~The benefits of providing for trading and events in all public places (including footpaths) include transparency of decision-making, efficiency, and consistency of how we manage activity in public places. The policy will clarify that the Council's written permission is required to carry out a trading or event activity on public land and provide the conditions for it.~~

The diagram below shows the objectives and primary concerns of the current policies and where these are covered under the proposed changes.



Diagram 1: Objectives of current policies

## Legislative context

This proposed policy helps inform the Public Places Bylaw 2021 and is one of the operational policies referred to in the Public Places Bylaw. It should be read in conjunction with the Council's Consolidated Bylaw 2008 and Traffic and Parking Bylaw 2021, the Reserves Act 1977 and reserve management plans, the Wellington Town Belt Act 2016 and the Wellington Town Belt Management Plan 2018, the Local Government Act 2002, the Local Government Act 1974, the Waterfront Framework, and the relevant rules, policies and objectives in the District Plan. It also aligns with the objectives in Aho Tini 2030—Arts, Culture and Creativity Strategy, the Strategy for Children and Young People, the Economic Development Strategy, and our Long Term Plan.

The proposed policy is consistent with the NZ Bill of Rights Act 1990 and does not affect iwi customary rights. The Council is committed to protecting fundamental rights and freedoms such as the right to freedom of expression and freedom of peaceful assembly.

## Strategic context

The Council has a number of strategies, policies, and plans in place to deliver our 2040 vision<sup>16</sup> and improve wellbeing for the people of Wellington. Diagram 2 shows the hierarchy of city goals and the strategies, policies, and the plans that set out the ways in which we will reach the goals. The diagram sets the scene for which this policy review has been considered.

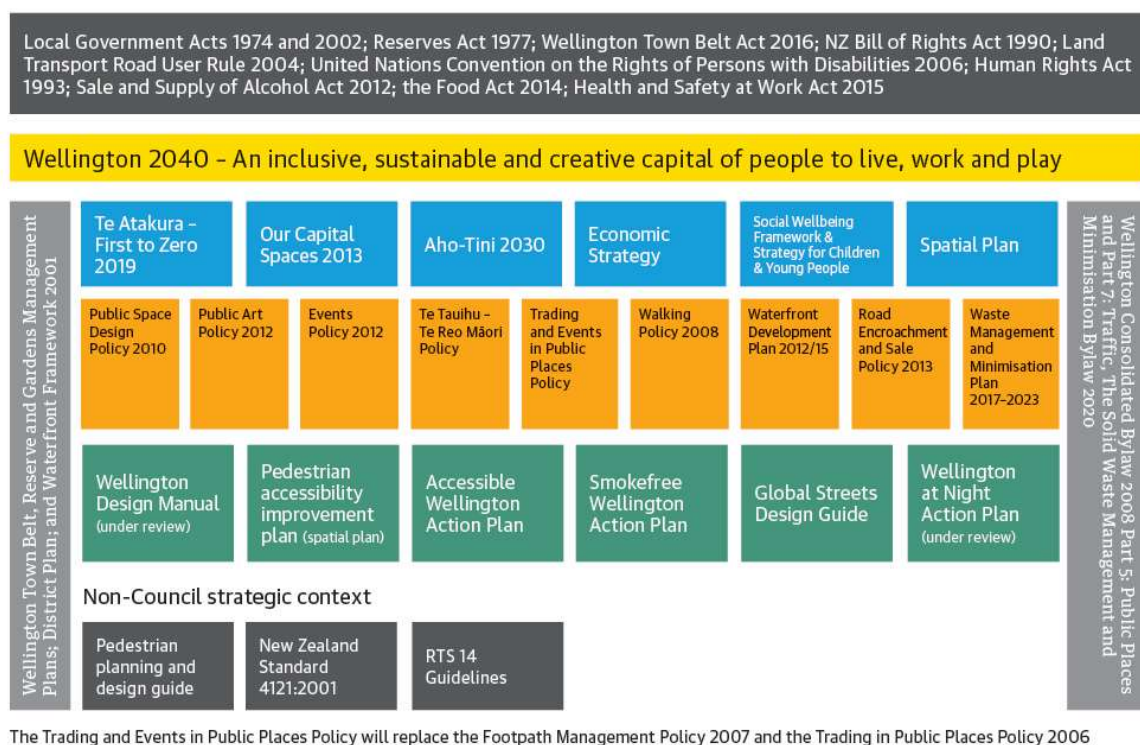


Diagram 2: Strategic fit

<sup>16</sup> [https://wellington.govt.nz/your-council/plans-policies-and-bylaws/policies/wellington-towards-2040\\_smart-capital](https://wellington.govt.nz/your-council/plans-policies-and-bylaws/policies/wellington-towards-2040_smart-capital)

The proposed Trading and Events in Public Places Policy has the following key actions which support the Council's strategic goals:

Strategy, Policy, or Plan	Strategic directions	Policy action
Aho Tini 2030	<ul style="list-style-type: none"> <li>• Our places and spaces/Aho Whenua—our city as a stage</li> </ul>	<ul style="list-style-type: none"> <li>• Increasing activation sites throughout the city</li> <li>• Providing for pavement art and creative hoardings</li> <li>• Allocating premium sites for street performance</li> <li>• Encouraging EOI process and community events to occur</li> </ul>
Social wellbeing framework / Strategy for children and young people	<ul style="list-style-type: none"> <li>• Our central city—making sure young people feel safe and supported</li> <li>• Hauora across the city—delivering spaces and places that support the wellbeing of young people</li> <li>• You belong—making the city welcoming and celebrating all our diverse young people</li> </ul>	<ul style="list-style-type: none"> <li>• Increasing vibrant public spaces increases public safety and inclusivity</li> <li>• Supporting community events, such as Play Streets</li> <li>• Setting accessibility guidelines for all activities in public places</li> </ul>
Accessible Wellington Action Plan	<ul style="list-style-type: none"> <li>• Improving and developing accessible spaces in the city</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring accessibility guidelines for all activity in public places follow national and international guidelines.</li> </ul>
Smokefree Wellington Action Plan	<ul style="list-style-type: none"> <li>• Increase the number of smokefree places in the city</li> <li>• Promote smokefree to outdoor dining and bar venues</li> <li>• Encourage non-Council smokefree events and initiatives</li> </ul>	<ul style="list-style-type: none"> <li>• Provide that all approvals issued for public places are mandatory smokefree</li> </ul>
Economic Development Strategy 2012	<ul style="list-style-type: none"> <li>• Destination Wellington—showcase Wellington's arts, culture, and events reputation</li> <li>• Open for business—making it easy and efficient to do business in Wellington</li> </ul>	<ul style="list-style-type: none"> <li>• Improvements to busking and street performance</li> <li>• Increasing trading sites and improving approval processes</li> </ul>

12.—

## 1. Introduction

Trading and events can make our city more vibrant, diverse, inviting, and inspiring. The Council recognises that exciting and vibrant public spaces can also increase public safety and inclusivity as more people engage and take part in trading and event activities. The valuable



contributions these activities can make to local communities, culture, and economy is also recognised.

Our public places are important – we use them to socialise, play, and work. We want them to be lively, active, and safe for everyone to use. There are a range of trade and event activities that occur in our public spaces. On our footpaths, activities occur such as outdoor dining, busking, street collectors, and sandwich boards. On the Waterfront, activities can range from recreation equipment hire, markets, events, food trucks, and outdoor dining. In our gardens, reserves, and Wellington Town Belt, which are all covered by their own legislation<sup>17</sup>, activities include professional dog walking, tours and guiding, events, and lessons and coaching. There are times these uses can conflict and can affect other users or the surrounding environment. The Council needs some rules and guidance on how these spaces are managed.

## 2. Purpose

The purpose of this policy is to set the conditions for the management of trade and event activity in Wellington's public places. It also guides the prioritisation of footpath space for pedestrian activity. While trade and event activities are valued for the vibrancy, attractiveness, safety, and diversity they can bring to Wellington, Council management is required to ensure accessibility and effective pedestrian movement, as well as public health and safety, and the preservation of our urban, cultural, heritage, and natural environments. It will also help ensure that public space is allocated fairly and consistently for trade and event activities. This policy recognises that public spaces are primarily for public use and enjoyment. –It provides a framework to balance and manage concerns related to the diverse, and sometimes competing, use of Wellington's public plspaces.

This policy guides how events use and operate in public places<sup>18</sup>. Regulating and supporting events in public places helps the Council ensure there are opportunities for a variety of events, appropriate services, and ~~that~~ there are no conflicts with other bookings. It will also help the Council to assist with traffic and waste management planning and to ascertain whether building and/or resource consent is required ~~for any large structures, such as marquees~~.

This policy requires anyone wanting to undertake a trading or event activity on public land to obtain approval from the Council, recognising that it is a privilege to conduct commercial activities on public land. Operations must be consistent with legislation, our bylaws, strategies, guidelines, policies, management plans, and the District Plan. The Council will set general and specific conditions for where and when trading and event activities can occur. We will also ensure appropriate standards of health and safety, accessibility, and visual amenity are maintained, as well as consider the potential impacts on the environment, private property, and local established businesses.

### ● O6.2 Policy objectives

This policy aims to enable, support, and promote opportunities to trade and hold events in our city's public places. The objectives of this policy are to ensure that trading and events in Wellington's public places:

- encourage vibrancy, diversity, and amenity
- maintain appropriate standards of public health, safety, and accessibility
- promote consistent and predictable access ways on footpaths
- minimise disruption to pedestrians

<sup>17</sup> Reserves Act 1977 Wellington Botanic Garden Vesting Act 1891, and Wellington Town Belt Act 2016

<sup>18</sup> The Council's strategic vision for events in the capital is provided for in the Events Policy 2012.

- protect actively recognise and support the urban, cultural, heritage, and natural environments
- promote social, cultural, and recreational opportunities in Wellington
- minimise the effects on private property and existing businesses.

This policy also aims to:

- ensure that costs are recovered from commercial activity on public land ~~so that it does not create a financial burden on ratepayers~~
- clearly outline the Council's decision-making and approval process.

### • 6.3 Policy scope

The scope of this policy is intended to be comprehensive and future-proofed. Activities covered by the policy include, without limitation:

- offering or carrying out commercial or non-commercial goods and services in a public place ~~(including outdoor dining, touting, and markets)~~
- fundraising for a charitable cause, soliciting of any subscription or collection of any one-off or on-going donation
- distributing and/or displaying promotional goods and materials (including advertising and tasting/sampling activities)
- street performance / busking, including pavement art
- events and filming in public places, such as activations, weddings, protests, parades, festivals, and community, and sports events.

The public has the right to peaceful assembly, so permission is generally not required for gatherings in public places such as a small group picnic or impromptu games. However, this right does not mean people can infringe on other people's right to freedom of movement. If the event or activity is important and a dedicated space is required, it can be booked through the Council.

#### 6.3.1 Restricted activities

Trading and event activities that are prohibited or not appropriate for public places include, without limitation:

- any illegal activity or activities prohibited by Wellington City Council bylaws, management plans, or policies, or the District Plan
- roadside windscreen washing, which is an offence under the Land Transport Amendment Act 2017
- the use of flags on footpaths or berms, which can cause obstructions and are generally not permitted<sup>19</sup> ~~use of advertising and commercial flags on footpaths or berms~~
- running power cords across footpaths (as part of an activity)
- discharging fireworks in public places, which ~~are~~ is prohibited under the Council's Public Places Bylaw<sup>20</sup>.

#### 6.3.2 Out of scope

Activities that are out of scope of the policy include:

- commercial and/or temporary signage<sup>21</sup>
- car share schemes, as these are managed under contractual arrangements<sup>22</sup>

<sup>19</sup> However, if used as part of an event and/or if there is enough space to safely position them, the Council will consider permitting them on a case-by-case basis.

<sup>20</sup> Note that the District Plan provides for public fireworks displays.

<sup>21</sup> A Signage in Public Places Policy will be drafted to guide decision-making for applications to erect signage in Wellington's public places. Rules are provided in the District Plan. For the avoidance of doubt, sandwich boards are provided for in this policy.

<sup>22</sup> Note that the contracts include a requirement for compliance with all Council Bylaws, plans, and policies.

- ~~non-commercial or small-scale~~ home video-type filming and amateur photography ~~not requiring exclusive access and use of public land~~
- begging and rough sleeping, as the Council's Te Mahana strategy outlines our collaborative approach to begging in Wellington
- trading and event activity occurring on private land or land managed by other entities, as this is provided for under the District Plan.

## • 6.4 Approval process

All businesses, organisations, groups, or individuals wanting to engage in trading or event activity on public land must first obtain Council approval.

Applications must contain all the information necessary for the Council to consider issuing an approval, be accompanied by the relevant application fee (if any) and be submitted in accordance with applicable Council guidelines. There may be further information or modifications that are required which will be discussed with the applicant before approval is granted. The Council will ensure accessible application options are provided.

Approvals will be in the form of written permission as either a:

- licence
- permit
- landowner approval
- concession
- booking.

Where the term approval is used in this policy it includes all of the above forms.

The applicant will be notified if further information is required, such as (without limitation):

- a Traffic Management Plan, including a parking and towing plan
- a Waste Management and Minimisation Plan, if required under the Solid Waste Management and Minimisation Bylaw 2021
- site location plan
- food control plan
- health, safety, and wellbeing plan, including an incorporation of Crime Prevention Through Environmental Design (CPTED) principles
- Corridor Access Request
- alcohol licence
- any other regulatory document appropriate in the circumstances.

The Council will assess applications on a case-by-case basis against the relevant guiding principles listed under section 6.5.

The Council will notify the applicant in writing of the outcome. If the Council declines an application, the reasons for the refusal will be provided in writing.

This policy supersedes any approval previously given by the Council and new approvals must be applied for in accordance with this policy. Any current approval with an expiry date may continue until the expiry date or as otherwise stated in the relevant approval.

An approval given under this policy only gives the applicant the right to trade or organise events in the specified public area(s). It is not an approval for the purposes of food hygiene, sale of alcohol, building or resource consent, traffic management, or any other regulatory requirements. Applicants should also check the District Plan's Temporary Activities Chapter provisions to see if a resource consent is also required for the proposed activity.

Note that an approval given under this policy is for the business owner/operator to carry out the specified activity. If the business or operation changes ownership, the new owner/operator will need to apply for a new approval.

The Council may require proposed trading and event activities to carry out further engagement with any affected parties before approval is given. This includes, without limitation, mana whenua, local community groups, residents' associations, Business Improvement Districts, and advocacy groups, such as stakeholders from the disability sector.

#### 6.45.1 Activity-sites and activities

The Council has identified sites in Wellington's public places that are suitable for trading and event activities. Some have services such as power and water. These identified sites and activities are set out on the Council's website. This list is not exhaustive, and the Council will accept and assess applications against this policy for other public sites not already identified. Sites that are prohibited from trading and event activities will also be listed on the Council website.

For activities on the Wellington Town Belt and reserves (including city parks and public gardens), the Council has identified sites suitable for *stationary* "pre-approved" activities, such as coffee carts, events, and recreational equipment hire. We have also identified reserves and Wellington Town Belt areas where *mobile* "pre-approved" activities such as commercial tour guiding, commercial lessons/instruction, and professional dog walking can take place. Activities allowed on reserves and Wellington Town Belt must be low impact, temporary in nature, consistent with the reserve classification of the land, meet the guiding principles set out in this policy, and be consistent with the relevant management plan.

#### 5.4.2 Site approval process for activity on Wellington reserves

Activities on Wellington reserve areas are regulated by the Reserves Act 1977 and any management plan that has been adopted for that area. Authorised officers will assess all applications to operate a pre-approved activity at a site listed on our website against this policy, the management plan, and relevant legislation and will approve or decline at for these activities will be issued by authorised officers them.

We will assess applications for any activity or site ~~that is not identified~~ on the Council's website in Schedule A on a case-by-case basis against this policy, the provisions of the Reserves Act, and any relevant management plan. The applications for sites that are not pre-approved may also require approval from a Council Committee and may require public notification. Under the Reserves Act, the Council can only approve activities on reserve land if the activities promote and are consistent with the classification the reserve land holds pursuant to the Reserves Act 1977 (which includes enabling the public to obtain the benefit and enjoyment of the reserve).

#### 6.54.3 Site approval process for activity on Wellington Town Belt

Activities on Wellington Town Belt land are governed by the Wellington Town Belt Act 2016, and the Wellington Town Belt Management Plan 2018. Authorised officers will assess all applications to operate a pre-approved activity at a Wellington Town Belt site listed on our website against this policy, the Wellington Town Belt Management Plan, and Wellington Town Belt Act. Under section 17 of the Wellington Town Belt Act, each individual licence to carry out trade or event activity on Wellington Town Belt land will still require approval by the Council or delegated committee. However, further public consultation will not be required for licences of a pre-approved nature that relate to a pre-approved site.

Applications for activities and sites not identified ~~in Schedule A on the Council's website~~ will require assessment against this policy, and the provisions in the Wellington Town Belt Act,



and ~~the~~ Wellington Town Belt Management Plan. Council or delegated committee approval and public consultation will also be required for these activities and sites.

#### ~~6.54.44~~ *Approval process for activity on the Waterfront*

Applications to trade and activate public places on the Waterfront are considered against this policy and the Wellington Waterfront Framework. Trading activities for over 30 days and large-scale events may require the Waterfront's Technical Advisory Group (TAG) approval and resource consent.

The Waterfront has a long-established historical and cultural associations with mana whenua of Whanganui ā Tara (Wellington), Taranaki Whānui, and Ngāti Toa Rangatira. Trading and event activities on the Waterfront area may require engagement with Mana Whenua to help preserve the mouri/mauri of these areas. The District Plan sets out the specific provisions for the protection of these areas.

#### 5.5 Managing Sites and Areas of Significance to Māori, Significant Natural Areas, and historic sites

The District Plan sets out the specific provisions to manage the effects of trading and event activities occurring on sites that are identified as Sites and Areas of Significance to Māori (SASM), Significant Natural Areas, and/or heritage. Any activity occurring on or near SASM listed in the District Plan requires consideration of the intrinsic relationship Mana Whenua has as kaitiaki of these sites and areas. Consultation with Heritage New Zealand may be required to manage activities on any historic sites.

#### ~~6.54.56~~ *Review of approval*

The Council reserves the right to cancel, amend, or initiate a review of an approval issued under this policy where the following instances apply, without limitation:

- g. there are non-compliance issues
- h. there are quality and reliability issues
- ~~h.i.~~ the use of the area is causing public access to be compromised
- ~~i-j.~~ the activity is likely to interfere with intended works undertaken by or on behalf of the Council or a network utility operator
- ~~j-k.~~ the purpose of the site changes
- ~~k-l.~~ if urgent action is required for maintenance or to protect the public from unhygienic, unsafe, or hazardous conditions.

#### 5.7 Expressions of interest

Where there are several similar suppliers wishing to trade in a location or where the Council wants to encourage trading and/or activation at a particular site, the Council may invite expressions of interest. The Council will promote opportunities and invite expressions of interest for trading or event activities in Wellington's public places when available on the Council's website.

~~The Council also reserves the right to invite particular businesses to apply to provide trading and events activities at a site(s) where it would benefit the site and the public's use and enjoyment of the site.~~

~~For the avoidance of doubt, some trading and event activity may be approved outside the expressions of interest process.~~

#### ~~6.54.8.7~~ *Licence periods for trading*

To encourage more opportunities for trading, which will contribute to greater vibrancy and diversity of activity, trading approvals issued under this policy will generally be no more than two years' duration.

## • ~~6.5~~ Guiding principles

Applications will be assessed on a case-by-case basis. The Council's decisions on approving activities in public places will be reflective of its strategic vision for the city. The following guiding principles will be considered when assessing approvals for trade and event activity in public places:

- l. The extent to which the vibrancy, amenity, visitor numbers, and values of the area are complemented or enhanced.
- m. The impacts on the surrounding urban, cultural, heritage, and natural environments (including cumulative impacts), such as accessibility, infrastructure, parking considerations, the impact on other businesses in the area and/or users as a result of noise, smell, glare, light spill, appearance or any other effects, and whether it is likely to cause a nuisance, obstruction, or a hazard, and whether these impacts have been appropriately mitigated.
- n. Where the activity is located on a footpath or other pedestrian accessway, whether the activity complies with the minimum width guidelines for the continuous accessible path of travel to enhance pedestrian priority and encourage safe walking routes in Wellington.
- ~~n-o.~~ Whether the activity protects the public's health and safety and utilises Crime Prevention Through Environmental Design (CPTED) principles.
- ~~o-p.~~ The significance and/or uniqueness of the product or offering, and whether it provides opportunities for the public to participate in diverse and quality activities.
- ~~p-q.~~ The level of additional benefits, enjoyment, and community use opportunities, and whether the activity contributes to the Council's commitment to promoting personal and community empowerment, health, and wellbeing. ~~building strong and empowered communities.~~
- ~~q-r.~~ Whether the activity celebrates te reo Māori and recognises mana whenua values, including an assessment of areas that are significant to Māori and where the activity may not be appropriate.
- ~~r-s.~~ The suitability of a person to hold an approval considering the applicant's experience and track record.
- ~~s-t.~~ Any preference for mana whenua, Māori, or local providers and where applicable, whether the applicant is a registered charity or not-for-profit organisation.
- ~~t.~~ The extent to which sustainable and environmentally friendly practices are integrated into the operations. Including consideration of how waste will be minimised.
- u.
- ~~u-v.~~ The location of the activity and the degree with which it is consistently with Wellington City Council bylaws, strategies, policies, plans, and the District Planplans, as well as other governing legislation. Including but not limited to the Reserves Act 1977, ~~the~~ Wellington Town Belt Act 2016, Sale and Supply of Alcohol Act 2012, ~~the~~ Food Act 2014, ~~the~~ Health Act 1956, Smokefree Wellington Action Plan, Traffic and Parking Bylaw 2021, Accessible Wellington Action Plan, Te Taihira – Te Reo Māori Policy, and the ~~the~~ Solid Waste Management and Minimisation Bylaw 2021.

Note that for trading and event activities on reserves, public gardens, the Wellington Waterfront, and Wellington Town Belt land, ~~there may be additional applications may be assessed against assessment additional~~ criteria, ~~which is provided~~ in the applicable statutes and corresponding management plans.

## ● ~~6.6~~ Fees and charges

Fees, unless specifically stated otherwise for individual activities (or as applicable), will be set in alignment with the Council's Revenue and Financing Policy, the Traffic and Parking Bylaw 2021, the Local Government Act 2002, the Parking Pricing Protocol 2021 and, where relevant, the Reserves Act 1977 and the Wellington Town Belt Act 2016. The fees and charges are reviewed annually. Fees for approvals issued under this policy are set in accordance with the Council's Public Places Bylaw. Fees may include the costs of providing the goods and services, such as:

- ~~a~~Administrative costs for assessment and processing of applications
- ~~managing~~ licensing/permitting
- monitoring and enforcement
- maintenance, cleaning, and repairs
- electricity and water supply
- additional resources that the applicant requests or expects from the Council – such as the Council providing higher than normal levels of service on a particular space, extra facilities, equipment hire, security, or extra maintenance.

The Council reserves the right to charge for occupancy of public spaces in addition to the above fees, where applicable. Such a charge would be assessed by the value of the location, and to ensure that businesses on private property are not unfairly disadvantaged. It may include a rental amount and/or an assessment of the opportunity cost (such as loss of potential parking revenue). In some circumstances, the Council may also require a bond.

The applicant is expected to pay the full prescribed fees and/or bond and have all the necessary permits before the approval will be issued.

The decision of whether to charge fees will remain at the discretion of the Council. Fee waivers or discounts may be considered for:

- events or activities for schools, charities, community groups, and not-for-profit groups
- ~~non-commercial events/~~or activities exclusively associated with children/young people under 24 years of age
- where there is a high degree of public significance and benefit to the city, and the public cannot be prevented from enjoying the activity ~~public cannot be prevented from enjoying the benefits~~
- photography and filming that is not commercial (as defined in the glossary)
- busking (not street performance on premium sites).

Note that there may be additional fees and charges associated with other consents that may be required for the activity.



## ● ~~6.7~~ Approval conditions

There are both general and specific conditions that may be relevant to activities that fall under the policy. The conditions and objectives that may be imposed on specific activities under this policy are available on the Council's website.

### ~~6.8.1~~ General approval conditions

The following general terms and conditions may apply for any activity or operation in a public place.

- o. The activity must only operate according to the designated duration and times (hours and days), including the hours of set up and pack down.
- p. With respect to the approved activity or object, safety of all public place users, including pedestrians, motorists, and cyclists must be protected.
- q. The activity or object must be constructed, fixed, and/or placed in a manner that it is not likely to cause a nuisance, unreasonable obstruction, or hazard. Emergency vehicle access must not be impeded.
- r. Pedestrian access must be maintained while the activity is operating, this –excludes events and activities where there is exclusive use of a site.
- s. The required minimum continuous accessible path of travel must be maintained on footpaths.
- t. When operating on a footpath, ~~generally~~ objects ~~shall are to~~ be placed ~~near the kerb and where appropriate and possible,~~ in line with other permanent footpath objects (eg lamp posts, trees, and rubbish bins) ~~where possible to facilitate~~ to facilitate accessibility.
- t.u. Objects ~~and activities~~ –must not be placed near mobility car parks or ramps, pedestrian crossings, fire exits, and bus stops.
- u.v. Objects and activities must be placed so they do not obstruct the visibility of any traffic control device or compromise sightlines from road intersections and vehicle entrances.
- w. The Council may set specifications or requirements on the use of any furniture, structures, containers, audio/projection equipment, stages, equipment, vehicles, and other items associated with the activity.
- v.x. The activity must be conducted in a manner that does not cause damage to any public property or Council assets.
- w.y. Objects and aActivities must be placed so they do not obstruct any entry, egress, and emergency assembly points for private residents and businesses.
- z. Obtaining any other required permits, including any necessary traffic management plan, corridor access request, food plan or alcohol licences, resource consents, etc.
- aa. Any activities that involve food services must comply with the Regional Event Packaging Guidelines.
- x.bb. All adventure activity operators (as defined in the Health and Safety at Work (Adventure Activities) Regulations 2016) are required to be registered with WorkSafe New Zealand.

Approval holders must also comply with, where applicable:

- h. any waste management and minimisation, health and safety, accessibility, fire safety, noise, parking and towing and traffic management plan, and/or any conditions of the approval
- i. the Food Act 2014, ~~and the~~ Sale and Supply of Alcohol Act 2012, and the Council's Alcohol Management Strategy, when food or alcohol is to be sold
- j. safety, health, and hygiene requirements
- k. requirements for public liability insurance
- l. restrictions on the use of amplified music/sound
- l.m. conditions of required permits from Council Controlled Organisations and partners such as Screen Wellington
- m.n. conditions under relevant Wellington City Council bylaws, policies, consents, and plans.

## 6-87.2 *Accessibility guidelines*



Under this policy all activity in public places must ensure that unobstructed accessibility is maintained, recognising that public places are primarily for the enjoyment of all people in Wellington. Improving the city's accessibility will make it more inclusive and help the city remain attractive to residents and visitors of all ages and abilities. At all times placement of activities must observe the SOS principles of universal access – an accessible place is Safe, Obvious, and has Step-free<sup>23</sup> choices.

The Council's Accessible Wellington Action Plan sets out the importance of providing information to ~~will reasonably provide appropriate information to help~~ support autistic disabled people and their families plan accessible journeys through Wellington's public places. The Council has guidance available to support event organisers make their events accessible for all.

The accessibility guidelines of this policy have been informed by the following:

- Waka Kotahi [RTS 14 – Guidelines for facilities for blind and vision impaired pedestrians](#) (2015 – 3<sup>rd</sup> Edition).
- The Council's [Accessible Wellington Action Plan](#).
- The Waka Kotahi [Pedestrian Network Guidance 2021](#).
- The New Zealand Standard [4121:2001](#) Design for access and mobility - Buildings and associated facilities (2001).
- The National Association of City Transportation Officials (NACTO) - [Global Street Design Guide](#).

### 8.2.1 Footpaths

The primary purpose and priority use of footpaths is safe and efficient pedestrian movement. The Council recognises that activities on footpaths such as outdoor dining, retail stands, and busking add to the vibrancy and diversity of our city. However they can interfere with pedestrian flows and create congestion, obstructions, and safety hazards if not managed effectively. This policy requires that placement of activity on footpaths must make sure the continuous accessible path of travel (unobstructed footpath through zone) is maintained at all times.

The following priorities apply to the continuous accessible path of travel:

- it needs to be consistent and predictable
- it is positioned adjacent to the frontage zone, as pictured below
- it should be kept free of temporary and permanent obstacles such as sandwich boards, trading activities, seating, rubbish bins, utility poles, and bus shelters.

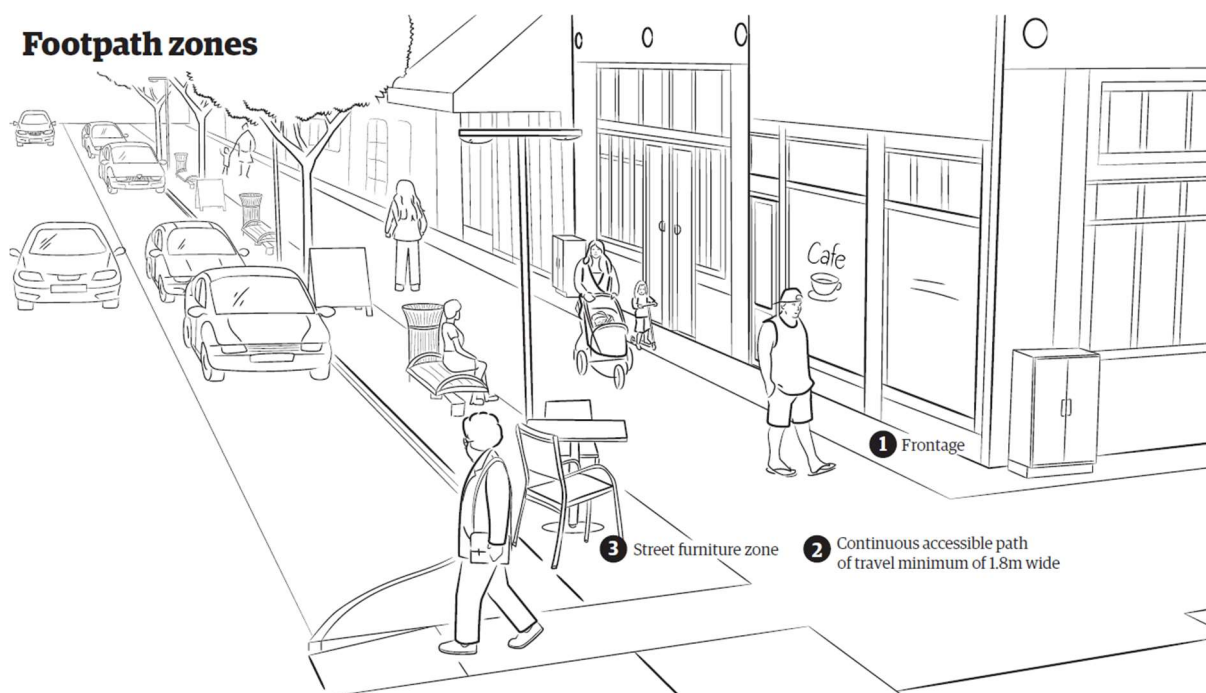
When placing trade and event activities on footpaths, the minimum width that must be maintained for the continuous accessible path of travel is 1.8m. In areas that have high volumes of pedestrian traffic and/or where Council has widened the footpaths to improve the pedestrian experience, such as the Golden Mile, the minimum width may be wider. The Council's District Plan, Our City Tomorrow Plan, and Wellington Design Manual<sup>24</sup> will guide how the minimum widths of footpaths and through zones are implemented.

<sup>23</sup> **Safe** – feeling safe by ensuring survivable speeds; and slow or separate walking routes. **Obvious** – wayfinding that is visual, tactile, and audible. **Step-free** – a safe and obvious step-free, obstacle-free route: no excessive diversions. [SOS – a route that people can negotiate independently.](#)

<sup>24</sup> [The Wellington Design Manual is being drafted at the time of writing.](#)

In some instances, the available footpath space is such that the minimum through zone width is unachievable because of the large variation of footpath width and landscapes that exist throughout Wellington. The Council may consider applications for activities on footpaths in these areas if it is safe and appropriate for the pedestrian volumes of that street.

To ensure consistency and predictability, the continuous accessible path of travel is located next to the building line. This is because it is the main orientation cue followed by people who are blind or have low vision. Therefore, activity approved under this policy should generally be located near the kerb. In the diagram below the Frontage Zone is the part of the footpath that pedestrians tend not to use, next to buildings or adjoining land. Placement of trading and event activity on footpaths must not be near mobility carparks, bus stops, pedestrian crossings, or



fire exits.

Council officers will consider applications for activities provided directly outside the building where it is inappropriate to situate activities near the kerb side. If deviation of accessible routes is unavoidable, a clear and simple transition should be provided with barriers and markers. Detailed accessibility conditions for specific activities are set out in Schedule B.

When placing trade and event activities on footpaths, the minimum width that must be maintained for the continuous accessible path of travel is 1.8m. In situations where there is not enough room to position activities while observing the continuous accessible path of travel, the applicant should contact the Council to discuss options. The Council will continue to review the minimum width requirement for footpaths that have high volumes of pedestrian traffic and/or where Council has widened the footpaths to improve the pedestrian experience, such as the Golden Mile. This review will be based on the following table illustrating the minimum footpath dimensions from the Waka Kotahi Pedestrian Network Guidance 2021. are guided by the volume of pedestrian traffic. The following are the minimum width requirements of various Wellington footpaths:

## Area of Wellington<sup>25</sup>

Minimum continuous accessible path of travel/footpath through zone		
Main streets: arterial streets in pedestrian districts (eg Golden mile and Cuba Street)		3m
Activity streets: alongside parks, schools and other major pedestrian generators (eg Adelaide Road, Victoria Street, and Ottawa Street)		2.4m
Local streets near schools and other activities that generate pedestrian activity, and local streets in residential areas (eg Bickerton Rise, Churton Park and Washington Avenue, Brooklyn)		1.8m
Urban connectors (collector streets). Eg Burma Road and Middleton Road.		1.8m
Commercial/industrial areas outside the CBD (eg Bay Road)		1.8m

~~On occasion the available footpath space is such that the designated width is unachievable because of the large variation of footpath width and landscapes that exist throughout Wellington. The Council may tolerate minor discretionary modifications to the ideal minimum unobstructed through routes as appropriate.~~

### 8.3 Auahi kore – mandatory smokefree and vapefree

This policy supports the Smokefree Wellington Action Plan 2019 and the government's goal of becoming a smokefree country by 2025 (where less than 5% of the population smokes). We aim to contribute to Wellington being a healthy place to be.

The Council's contribution to reaching the Smokefree Aotearoa goal is focused on making public places smokefree and having smokefree events in the city. Reducing the visibility and prevalence of smoking supports people to quit, reduces prompts (cravings) to smoke, denormalises smoking, and sets a good example to children and young people. It also helps people who are trying to quit and remain smokefree, and reduces public exposure to second and third-hand smoke.

All approvals issued under this policy will be mandatory smokefree and vapefree. Operators will no longer be entitled to discounted fees for running smokefree events and trading activities.

Operators are required to remove all ashtrays from outdoor furniture and provide adequate smokefree signage. It will be a requirement under this policy that the operator designate a contact person to provide oversight and for the Council to communicate with directly about smokefree issues and data. Operators are encouraged to ensure that any nearby doorways and entranceways remain smokefree, as these are the main entry and exit points for all members of public to use. These areas could also easily become areas where cigarette butts are disposed of.

<sup>25</sup> ~~The street categories used here have the same meaning ascribed by Waka Kotahi One Network Framework Classification. Brief descriptions of each category are provided in Section 9: Definitions.~~

#### ~~6.87.4~~ *Display of approval*

Unless exempted, all approvals issued by the Council for trading and event activities must be prominently displayed or available for inspection at all times.

#### ~~6.87.5~~ *Public liability insurance*

All approvals under this policy will be responsible for claims made against them for personal injury or property damage and are encouraged to hold their own public liability insurance.

There are activities under this policy that will be required to show evidence of public liability insurance. Generally, the required public liability cover for these activities will be \$2,000,000. Any activities that have requirements for public liability cover that differs from this, will be detailed under the specific activity conditions on our website.

#### ~~6.78.6~~ *Other consents*

Event activities and associated temporary structures that do not meet the required standards under the District Plan will require resource consent. All activities that have temporary structures may need a building consent, exemption approval, and/or resource consent, as well as Council's approval as the landowner to hold the event or activity on public land. If resource consent is required, this will need to be obtained before any building work can commence. The Council website has information to help check whether consent for a temporary structure is required. It is generally recommended that applicants obtain landowner approval before applying for resource consent.

### ● ~~6.8~~ *Monitoring and enforcement*

#### ~~6.98.1~~ *Monitoring*

Approval holders are responsible for managing activities in accordance with the relevant policy guidelines and legislation.

The Council will monitor trading and event activities in public places regularly to ensure that activities are being operated in compliance with the policy, licence, and/or code of conduct conditions, and that no unauthorised trading or event activity is occurring in public places.

Safety considerations remain paramount, and officers retain the option of requiring immediate action in the event of an operator creating a risk to safety.

#### ~~6.89.2~~ *Enforcement*

Where a person does not comply with the conditions of their approval the Council may take one or more of the following steps:

- f. Verbally notify the approval holder of the issue.
- g. Issue a written warning and required remedy to the approval holder.
- h. Review or revoke the approval and take any other steps to prevent the trading or event activity on public land.
- i. Require immediate removal of the activity property.
- j. Enforce any breach of the Public Places Bylaw, as provided for in the Local Government Act 2002, the Land Transport Act 1998, the Health Act 1956, and/or Litter Act 1979.

Individuals or groups that trade or hold events on public spaces without an approval will be asked to remove their material and cease with the activity. The Council may issue a written warning and/or invite an application for an approval. If the infringement persists, the Council will reserve the right to confiscate the event or trading material pursuant to sections 163 and 164 of the Local Government Act 2002. The Council may dispose of confiscated property



pursuant to section 168 of the Local Government Act 2002. Reasonable costs incurred as a result of enforcement may be recovered from the person responsible for the non-compliance.

The provisions in the Reserves Act 1977 will apply to any offences or breaches on reserves. The Land Transport Act 1998 provisions may be used for offences on road reserve, where applicable.

### ~~6.98.3~~ Penalties

This policy guides the use of the Council's Public Places Bylaw. Non-compliance with the Public Places Bylaw is an offence under section 239 of the Local Government Act 2002 and a person may be liable to a maximum fine of \$20,000 upon conviction.

## ● ~~6.9~~ Complaints

Complaints about traders or events may be made to the Council via:

- the Council's website
- phoning 04 499 4444
- emailing [info@wcc.govt.nz](mailto:info@wcc.govt.nz)
- the FixIt App.

When contacting the Council to make a complaint, the complainant should, where possible, provide:

- The name and approval details of the trading, event, or activity operator.
- The time, location, and type of activity.
- Photographs.
- Details of the issues.

Complaints regarding violent, disorderly, or offensive behaviour should be referred in the first instance to the Police, and then to the Council.

- ## Definitions

In this policy the following definitions are used, unless context otherwise requires:

**Activation** – Is the creation of an event or interaction which enables participants or audiences to engage directly with what is being offered.

~~**Activity streets** – Is a street category prescribed by Waka Kotahi. Activity streets provide access to shops and services by all transport modes. Activity streets are where people spend a significant amount of time, working, shopping, eating, residing, and undertaking recreation.~~

**Amenity** – Has the meaning assigned to that term under section 2(1) of the Resource Management Act 1998. It means the natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

**Amusement device** – Has the same meaning assigned under the Machinery Act 1950. It includes any fairground rides and other mechanically powered units that are used for rider entertainment. It includes bumper boats, bungee jumping, and merry-go-rounds. It does not include single, individually propelled machines, such as outdoor go karting operations and jeeps (unless referred to explicitly in the Regulations) or inflatable devices. However these devices still need to meet obligations under the Health and Safety at Work Act 2015 (HSWA).

**Authorised officer** – An officer or other person appointed by the Council to perform duties or give permissions under the Public Places Bylaw.

**Busking** – In the context of this policy, a busker is an entertainer who is actively providing a public performance in a public place in exchange for a donation. Examples include musicians, singers, dancers, magicians, mimes, puppeteers, pavement art, and living statue artists. Busking is a form of street performance.

**Bulk bins** – Is any receptacle used for the collection and/or eventual disposal of waste products by a waste management company. These may include (but are not limited to) metal skip bins, plastic wheel bins, flexi bins, and other similar objects.

**Commercial** – Means selling or hiring goods or services in exchange for payment, reward or otherwise.

**Commercial filming** – The recording of images, moving or still, for commercial purposes or at a scale that may require exclusive use or restrict or obstruct a person's use of a public place. It includes any commercial filming by drones. It excludes the recording of a private celebration or event, ~~student projects~~, or the recording of current affairs or news for immediate release.

**Commercial group fitness training activities** – Outdoor group fitness training activities where the participants pay the fitness/personal trainers to participate in fitness training classes on public land. It includes, without limitation, gym sessions or circuit training (with or without equipment), bootcamps, and boxing and pad training. It excludes organised running, cycling, and walking groups that are non-commercial in nature.

**Commercial lessons and coaching** – Is where participants pay instructors for lessons and coaching for activities that take place on the Council's public places. It includes without limitation, mountain bike coaching and windsurfing lessons.

**Commercial photography** – The recording of images for commercial purposes at a scale that may require exclusive use or restrict or obstruct a person's use of a public place. It does not include student projects, or small-scale and/or non-commercial photography.

**Commercial/professional dog walking and training** – Is a business where dog walkers or handlers walk and/or train groups of dogs in public places in exchange for payment.

**Commercial tours or guiding** – Is a business where an operator/leader guides or leads a group of participants or tourists in exchange for payment. Examples include mountain bike tours, public garden tours, 4-Wheel Drive tours, and Wellington Town Belt Tours.

**Dangerous materials or objects** – Are materials and objects used by street performers that could be a risk, or hazard to the public and performers. They include, without limitation, flammable materials and chemicals, fire, smoke, flares, whips, knives, and chainsaws.

**Drones** – Also known as UAVs (unmanned aerial vehicles), RPASs (remotely piloted aircraft systems) and unmanned aircrafts. Approval is required under this policy for commercial use of drones, such as filming, data gathering, surveying, and scientific research.

**Continuous accessible path of travel / unobstructed footpath through zone** – Is the unobstructed area on footpaths where the pedestrian route is safe and convenient for everyone, especially people with impaired mobility, and people who are blind or have low vision. It has even surfaces, gentle slopes, and is kept free of permanent and temporary obstacles at all times.

**The Council** – The Wellington City Council or any committee or elected member of the Council or officer authorised to exercise authority of the Council.

**Event** – Is an organised temporary activity or activation that takes place on one or more days including, without limitation, an organised gathering, parade, protest, wedding, private function (which is independent of premises), festival, concert, celebration, multi-venue sports event of a significant scale, fun run, marathon, duathlon, or triathlon. For the purposes of this policy an indoor performance, indoor private function, tasting and sampling activity, giveaway, market, sports practice, or training is not an event.

**Community/neighbourhood event** – Is where the target audience is a particular community or celebrates a particular community (geographic communities or communities with a shared interest or culture). It includes small-scale, low-risk events which are approved by the Council to be run on public land. Community events are typically organised by local communities for locals.

**~~Encroachment~~** – ~~Is where either public access to public land is restricted or a deliberate action causes an area of public land to be used for private use (exclusive or otherwise).~~

**Expression of Interest** – In the context of this policy, an expression of interest is when an individual or group provides information to demonstrate their suitability, interest, and availability in an opportunity.

**Face-to-face fundraisers** – Are charity-based fundraisers who raise ongoing, regular subscriptions or donations (usually by direct debit or credit card) from donors through face-to-face street fundraising.

**Footpath** – Has the meaning assigned to that term under section 1.6 of the Land Transport (Road User) Rule 2004. It means a path or way principally designed for, and used by, pedestrians; and includes a footbridgels that part of any legal road that is laid out or constructed for the use of pedestrians and includes the edging, kerbing, and channelling.

**Market** – Any public place where there is more than one stall at a common location offering goods and/or services for sale or hire, whether for commercial or charitable purposes.

**Micromobility device** – Transportation using small, lightweight vehicles such as bicycles, skateboards, or scooters. Public micromobility share schemes refers to part of a self-service scheme in which people hire micromobility devices, usually electric, for short-term use within a town or city.

**Mobile shop/trading** – Is a contrivance, whether self-propelled or not, standing in a public place and from which goods or services are offered or exposed/displayed for sale. It is a temporary trading activity from a location that can be vacated once trading has ended for the day. Examples include stalls, kiosks, coffee carts, and food trucks.

~~**Local streets** – Is a street category prescribed by Waka Kotahi. Local streets provide quiet and safe residential access for all ages and abilities and foster community spirit and local pride. Local streets are the most common and most diverse streets in urban areas.~~

~~**Main Streets** – Is a street category prescribed by Waka Kotahi. Main streets support businesses, on-street activity, and public life while ensuring connections with the wider transport network.~~

**Obstruct** – Is to impede, interfere with or block pedestrian or vehicular traffic or access on, to or from a public place.

**Outdoor dining** – Is where part of a road, Waterfront, or other public place is used by an adjacent business premises for the purpose of providing food and/or drink.

**Parklet** – A public space created from an on-street car parking bay.

**Pavement art** – Also known as street art, street painting, and sidewalk art, is the performance art of rendering artistic designs on malls, streets, Waterfront, and other public places. It does not include passively sitting or standing next to pre-fabricated, static or commercial brand displays, or portraiture/caricature. In the context of this policy, pavement art is a form of busking and street performance.

**Public place** – Any area of a public nature that is open to or used by the public, whether free or requiring payment, which is owned, managed, maintained, or controlled by the Council or Council Controlled Organisation. It includes any road, street, footpath, court, alley, lane or accessway, park, recreation ground, sports field or facility, reserve, beach, Wellington Town Belt, Waterfront, pool, pedestrian mall, wharf, breakwater, boat ramp, pontoon, public open space, community facility, cycle track, bridleway, public garden, berm, grass verge, public square, cemetery, foreshore and dune, accessway, square, and carpark, and any part of the public place. Public place does not cover private roads, state highways or other roads under the control of the New Zealand Transport Agency, except where responsibility has been delegated to the Council.

Explanatory note: Reserves, city parks, and beaches are also governed by the Reserves Act 1977, and the Wellington Town Belt is governed by the Wellington Town Belt Act 2016. The Waterfront is managed in accordance with the Wellington Waterfront Framework.

**Recreation equipment hire** – Any equipment hired or rented out for recreational purposes such as kayaks, canoes, boats, surf boards, hover boards, bicycles, Crocodile Bikes, roller blades, or scooters. It can also include electric assisted recreational equipment such as e-bikes and electric scooters.

**Reserve** – Is an area of land classified and managed under the Reserves Act 1977.



**Reserve Management Plan** – Is an adopted management plan for any park, reserve, or other type of open space under the Reserves Act 1977.

**Retail display** – A small structure used by businesses to help increase sales and attract customers into shops. They are deemed to be an extension of the retail display inside the shop.

**Road** – Has the meaning assigned to that term under section 2(1) of the Land Transport Act 1998 and its amendments.

**Sandwich board** – Is a portable sign used as an advertisement tool with messages and/or graphics on it placed on footpaths or other public places.

**Street appeals** – A coordinated and organised event by organisations that ask for, or seek, any collection or donation from members of the public (both monetary and written via a petition or survey). Street appeals can involve one or more people and can operate at more than one location at the same time.

**Hawking** – Is selling goods and services informally and without invitation. For the purposes of this policy hawking is a form of touting. It does not include mobile trading but includes trading from a vehicle and only stopping long enough to sell to a customer, for example Mr Whippy.

**Spruiking** – Is the use of voice to generally promote or advertise goods and services to passing pedestrians on a street or in a public place.

**Street appeal** – Means coordinated and organised events by organisations who ask for, or seek, any subscription, collection, or donation from members of the public, and usually involves more than one collection person operating at the same time.

**Street performance** – Means entertainment on or in a public place, and includes a musical, dramatic, or other performance involving musical, theatrical or circus performance skills including busking, playing musical instruments, dancing, singing, clowning, juggling, pavement art, poetry, or doing other acts of a similar nature. In the context of this policy, street performers refer to a 'professional busker' who performs as one of their main income sources, has a repertoire that would enable performing for at least 30 minutes without repeating a song, and has a website, YouTube, Facebook, or other profile.

**Temporary activity** – Any activity that is temporary in nature and removed when not in use. Note that 'Temporary' has a different meaning for Wellington Town Belt land.

**Temporary structure** – Are short-term structures that are constructed for an activity or event and then dismantled and removed as soon as the event or activity has finished. Temporary structures can include marquees, hoardings, scaffolds, seating, bleachers, stalls, stages, and temporary ablutions.

**Touting** – Is attempting to sell something typically by a direct or persistent approach. It includes hawking and spruiking. ~~It includes tour operators trying to solicit business in a public place.~~ All touting activities require approval from the Council.

**Trading in a public place** – Is an activity, whether it is a one-off or a series of activities, undertaken by any person or organisation involving the sale or the offering of goods or commercial services for payment, reward, or otherwise in a public place. Trading goods means all structures, items, furniture, screens, barriers, objects, stalls, signs, vehicles, and any other equipment associated with the trading activity.

**Traffic Management Plan (TMP)** – Is a standardised legal document written by a qualified individual plan that details how a safe environment will be created for all road users while work or activity takes place on the roading corridor (road footpath or berm). The plan will detail all signage, temporary traffic controls and detours (if necessary) to allow the activity to take place.

~~**Urban connectors** – Is a street category prescribed by Waka Kotahi. Urban connectors provide safe, reliable, and efficient movement of people and goods between regions and strategic centres and mitigate the impact on adjacent communities. The purpose of urban connectors is to provide for efficient movement of people and goods from A to B.~~

**Vehicle** – Has the same meaning assigned to that term under section 2(1) of the Land Transport Act 1998 and its amendments.

**Waterfront** – Is the area comprised of property owned by Wellington Waterfront Limited between Herd Street and the birth end of Lady Elizabeth Lane. These properties are managed by the Council.

**Wellington Town Belt** – Is an area of land classified and managed under the Wellington Town Belt Act 2016.

**Wellington Town Belt Management Plan** – Is the adopted management plan for any part of the Wellington Town Belt under the Act.

## Schedule ~~AB~~: Specific approval conditions<sup>26</sup>

Council approval is required for all trading and event activities operating on public land. As well as the general approval guidelines in the policy, the following are conditions related to specific activities under the policy.

Note that this list is not exhaustive. For any activity not specifically listed, the Council will need to be contacted to discuss the approval required for the activity.

### **16. ~~8.4~~ Amusement rides and devices**

As required under the Amusement Devices Regulations 1978, amusement devices and rides need to first be registered with WorkSafe New Zealand by the device owner. The device needs to be inspected and fee paid to regulatory team from the Council as set out in the Regulations.

If the device or ride is to be erected on public land, the Council's approval as landowner is also required under this policy.

### **17. Bulk, waste, recycling, and skip bins**

Waste and recycling bins should only be put on footpaths, road reserve or in another public place during collection times and they are not to be regularly stored in or on a public place at any other time. ~~Food businesses are expected to manage their waste and store their bins on private property outside of the collection times. The use of public places to store waste and recycling bins can cause obstructions and create access issues.~~

Under this policy, Council approval is required prior to bulk bins being placed on public land~~when bulk bins are placed on public land, the owner of the bin is required to get Council approval.~~ Bulk bins are not permitted to be placed on any Wellington footpaths. The Council's Public Places Bylaw regulates the placement of bulk bins on public land, including parking spaces.

### **18. Busking and street performance**

Buskers and street performers help to enhance Wellington's reputation as the vibrant, diverse, inviting, and inspiring capital. The Council welcomes the opportunity to support high-quality street performances. It will take into account the needs of residents, businesses, pedestrians, and street performers. These ~~condition~~ guidelines have been developed to help performers, residents, pedestrians, retailers, and visitors understand the rules around performing on Wellington's streets, while still supporting a vibrant street performance culture.

The following conditions apply to all buskers and street performers wanting to perform in public places:

- j. Busking approvals are issued to individuals or groups.
- k. Approvals cannot be transferred to other performers.
- l. Performers under the age of 12 must have parental or legal guardian consent to apply for an approval. The Council recommends that street performers under twelve are supervised by an adult at all times when performing.
- m. All buskers and street performers must have their licence and photo identification on their person while performing. ~~They must make these available to Council officers or any member of the public on request, whenever they perform~~
- n. There are specific areas and times where amplified busking is not allowed, see Sound Performances section below.

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<sup>26</sup> Note that this schedule was included as part of the Statement of Proposal July 2021 but will not be included as part of the final policy. The information contained in this schedule will be included as guidelines, which will be available on our website.

- o. Sites may move, be temporarily unavailable or permanently removed at the Council's discretion.
- p. If a street performer is performing immediately outside retail premises and is asked by the retailer to move on, they must do so.
- q. Street performers or their audiences must not at any time block footpaths, residential doorways, bus stops, pedestrian crossings, fire escapes, or shop doorways (during business hours).
- r. A busker can only perform at one site for a maximum time of 90 minutes per day. This allocated time includes both performance and non-performance time (set up, breaks, and pack down).

Busking and street performances add to the vibrancy of the city and are also a valid way for people to make money, but members of the public should not feel coerced to give money. Buskers and street performers can have a written sign asking for donations and can ask the audience for donations, but they cannot approach individuals for money.

Provided they are not using dangerous materials or objects, performers employed for a scheduled event approved or organised by the Council (including protests, community festivals and commercial promotions) do not need an individual busking or street performance approval for that event. However, organisers of the event must ensure that the policy conditions are complied with.

### **8.3.1 Sound performances**

The Council will consider how the sound performance might adversely impact on the amenity of the area, with special regards to noise levels. Sound performances should not reach an unreasonable level of volume and should be considerate of pedestrians and the public. As a guide only, noise from any street performance should not be greater than reasonable background noise when heard from more than 30 metres, horizontally or vertically, from where the performance is taking place. For detailed requirements, applicants should refer to the District Plan rules for the area.

The following special conditions apply to sound performances:

- f. Sound performances that meet all busking and street performance conditions are allowed in any public place in Wellington between 7am and 9pm<sup>27</sup>.
- g. Between the hours of 9pm and 3am on Friday and Saturdays only certain areas are available for street performance. These are listed on our website.<sup>28</sup>
- h. ~~After 9pm sound performances must not set up within 30 metres from residences, apartments, motels, hotels, hostels, or any other form of accommodation.~~ Sound performances that receive complaints may be requested to setup in different locations and times through a special condition on the licence.
- i. Sound performances should be separated by a minimum distance of 50 metres between acts.
- j. The Council reserves the right to place special conditions on busking and street performance approvals such as amplification limits and restrictions on drums and bag pipes.

### **8.3.2 Street performers**

The Council has designated premium sites throughout Wellington for street performance. These sites will be available for street performers (professional buskers) only and will require

<sup>27</sup> The Council reserves the right to specify areas and times where no amplification is permitted.

<sup>28</sup> <https://wellington.govt.nz/certificates-and-licences/street-performance-and-busking>



a *premium busking approval*. Information about the sites and approvals will be provided on our website.

Street performers ~~require special approval are permitted~~ to use **dangerous materials or objects** in their performance, ~~but they require a special approval to do so~~. The locations available for street performance involving dangerous materials and objects are provided on our [website](#)<sup>29</sup>.

The following special conditions apply to performances using dangerous materials or objects:

- k. Performers are required to be skilled and experienced in using dangerous materials or objects.
- l. A health and safety plan may be required.
- m. Fireworks are not permitted in street performances.
- n. The performance space must be defined by setting a visible boundary of at least two metres between the performer and the audience, for example, using a rope, chain, or chalk line that is removed once the performer has completed the act.
- o. The Council reserves the right to withhold permission for street performances involving fire if a fire ban is in force in the city.
- p. The only flammable liquid/hazardous substance permitted in street performance acts is kerosene. No other flammable liquids or hazardous substances will be permitted.
- q. A fire blanket or fire extinguisher must be part of performance kits when using fire, and it must be visible and accessible throughout the performance.
- r. Kerosene must be stored in portable, unbreakable, closed containers of a 5-litre maximum capacity and clearly labelled 'Kerosene-/Poison'.
- s. Kerosene fuel should be prevented from being dripped, tipped, or flicked onto people, vegetation, or property. Any kerosene stains on ground surfaces must be removed immediately following the end of the performance.
- t. It is recommended that street performers using dangerous materials or objects in their performance have at least \$1,000,000 public liability insurance cover.

### **8.3.3 Pavement art**

Another form of busking and street performance is pavement art – design, drawing, images, and decals. Approval is required for pavement art in Wellington and the following conditions apply:

- l. It must be temporary.
- m. An agreed timeframe and removal plan are in place and agreed with the Council.
- n. The art is removed when it is no longer needed or relevant.
- o. It is not permitted on footpaths.
- p. It is only permitted in certain areas of Wellington, which will be listed on the Council's website.
- q. Materials used must be easily washed off without leaving any residue.
- r. The materials must not be slippery or create a trip hazard.
- s. If the pavement art is created on a removable surface, such as plastic, canvas or paper/card, and is fixed to the pavement, it must be with a product that does not leave any residue.
- t. The site must be kept clean, tidy, and safe at all times.
- u. Commercial advertising is not permitted.
- v. Offensive material and/or images is not permitted.

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<sup>29</sup> <https://wellington.govt.nz/certificates-and-licences/street-performance-and-busking>

The sale of any goods as part of the street performance activity requires a separate trading permit.

### **19. Commercial/professional dog walking, handlers, and trainers**

Professional dog walkers, handlers, and trainers<sup>30</sup> require approval under this policy to operate in public places. The rules for professional dog walkers and trainers operating in public places include minimising the:

- c. negative impact or conflict with other public space users
- d. damage to public spaces amenity and assets.

Under this policy, professional dog handlers/walkers, handlers, and trainers must complete the Council's annual registration course before they can obtain approval to operate in public places. The course sets out the rules and conditions for operating in our public places. All professional dog walkers, handlers, and trainers must not have more than six dogs per person in both on-lead and off-lead areas. The handlers/walkers must comply with the Dog Control Act 1996 and the Council's Dog Policy 2016 which sets out that dogs must be kept under control at all times. Professional dog walkers are not permitted in the Wellington Botanic Garden, Otari-Wilton's Bush, or Bolton Street Cemetery.

It is recommended that professional dog walking businesses take out an appropriate level of public liability insurance against liability for loss, damage, or injury arising out of conducting the activity.

### **20. 8.5 Commercial group fitness activities, lessons, coaching, and tours and commercial tours**

The Council wants to promote active and healthy lifestyles and provide opportunities for people to engage in physical exercise and enjoy the visitor experience in our parks and other open spaces.

Organisers of commercial fitness groups, exercise classes, lessons, and tours and tours that take place on public land must first obtain Council approval.

General rules for groups fitness classes and tours in use of public places:

- t. At all times the operator must conduct the activities in a manner that does not adversely affect the environment, any other user(s), and private residents or businesses.
- t.u. Activities should generally be conducted between 5am and 10pm.
- u.v. There will may be a maximum number of participants only in each class or tour, which will be dictated by the specific location characteristics.
- w. Ensure participants do not step on, or walk on, or in any other way inappropriately use the Council's furniture, structures, public art works, shrines, or memorials.
- x. Ensure activities do not dominate, monopolise, and/or obstruct any stairways or pathways.
- y. Ensure the natural features, animals, plants, or historic resources within the area are not interfered with, removed, damaged, or endangered.
- z. Ensure any area used is left clean after each period of use and/or in the same condition it was at the commencement of use.
- aa. The Fitness Trainer/Tour Guide operator shall cover the costs of any damage caused to the Council's assets and/or any cleaning required as a direct result of the training activity.

<sup>30</sup> Note, in this policy professional dog trainers only refers to those trainers operating in public places, and does not include those operating in licensed areas for dog training purposes.

- bb. Any equipment used must be portable by hand and free standing at all times (ie equipment must not be pegged into the ground or hung from trees).
- cc. All vehicles belonging to or directly associated with the operator must use only designated car park facilities unless otherwise agreed with the relevant Council business unit.
- dd. No advertising material such as signs, 'A' frames or banners are permitted to be used to promote the activity. The exception to this is a single sign that indicates a session is in progress. These signs must be free-standing, not attached to any Council fixture or trees, and not block public access to different spaces.
- ee. The Council reserves the right to restrict the handing out of promotional material such as flyers and brochures.

The Fitness Trainer or Tour Operator shall wear visible identification at all times with their name and contact details.

The following conditions apply to group fitness activities, lessons, coaching, and tours that are stationary (ie not transitory or moving around a park or open space):

- ~~v. ff. T~~ he class activity or tour must run for no longer than 90 minutes, including set up and pack down.
- ~~w. At all times the Fitness Trainer or Tour Guide must conduct the activities in a manner that does not adversely affect the park, any other open space user(s), and private residents or businesses.~~
- ~~x. gg. \_\_\_\_\_~~ The Fitness Traineroperator or Tour Guide does not have exclusive use of any area at any time. This means they can only use any area while a session is in use, cannot set up any semipermanent space, and must take all equipment away from any open space when a session is not in-progress.
- ~~y. If there are members of the public in the area at the time the tour or fitness class operator sets up and the class/tour is unable to move location, the Fitness Traineroperator or Tour Guide needs to give them at least ten minutes notice to vacate the site.~~
- ~~hh. \_\_\_\_\_~~
- ~~z. ii. \_\_\_\_\_~~ The Council may, at its discretion, instruct an operator-fitness-trainer or tour guide to relocate their activity.
- ~~aa. Any noise created during the activity must be within the District Plan requirements and shall not unduly impact on other users or nearby residential properties.~~
- ~~bb. jj. \_\_\_\_\_~~ Wear and tear on grassed areas or tracks must be minimised (this includes avoiding wet and boggy areas, rotating activity within an area and -/-or alternating activities, if more than one).

~~Ensure participants do not step on, or walk on, or in any other way inappropriately use the Council's furniture, structures, public art works, shrines, or memorials.~~

~~Ensure that any equipment used does not create any hazard or obstruction to other public place users.~~

~~Ensure activities do not dominate, monopolise, and/or obstruct any stairways or pathways.~~

~~Ensure the natural features, animals, plants, or historic resources within the area are not interfered with, removed, damaged, or endangered.~~

~~Ensure any area used is left clean after each period of use and/or in the same condition it was at the commencement of use.~~

~~The Fitness Trainer/Tour Guide shall cover the costs of any damage caused to the Council's assets and/or any cleaning required as a result of the training activity.~~

~~Any equipment used must be portable by an individual by hand and free standing at all times (ie equipment must not be pegged into the ground or hung from trees).~~

~~All vehicles belonging to or directly associated with the operator must use only designated car park facilities unless otherwise agreed with the relevant Council business unit.~~

~~No advertising material such as signs, 'A' frames or banners are permitted to be used to promote the activity. The exception to this is a single sign that indicates a session is in progress. These signs must be free standing, not attached to any Council fixture or trees, and not block public access to different spaces.~~

~~The Council reserves the right to restrict the handing out of promotional material such as flyers and brochures.~~

~~The Fitness Trainer or Tour Operator shall wear visible identification at all times with their name and contact details.~~

For fitness groups, the following equipment is expressly prohibited on the park in public places:

~~ee.kk.~~      large gym equipment or anything that attaches to any park fixture or trees, (for example, weight benches, weight stacks, stationary bikes, punching/boxing bags, treadmills, steppers)

~~dd.ll.~~      whistles and megaphones.

## **21. ~~8.6~~ Events**

The Council's Events Policy 2012 articulates the Council's vision, role, and plans for the events sector. The Council welcomes events in our city's public places as they add to our city's vibrancy and diversity and can make Wellington an exciting place to be. However, to minimise disruption to pedestrians and other users, events held in a public place require the Council's approval as soon as reasonably practicable prior to the event so that any required waste, accessibility, health and safety, and traffic management plans can be developed.

The overall event approval covers all the activity that takes place within the event's footprint. For example, for events that include performance, the individual performers are not required to hold street performance licences as the event organisers are responsible for ensuring the performance complies with the conditions.

For events with food stalls or trucks, the event organiser needs to ensure that the individual stallholders have a food registration certificate and meet any requirements of the Council's Public Health Team and the Food Act 2014.

Event organisers will also need to ensure the activity meets the rules and standards in the Temporary Activities Chapter of the District Plan. Resource consent may also be required if events do not meet these standards.

The ~~amount of~~ public liability insurance cover required for events will be assessed on a case-by-case basis and will depend on the scale and activities involved in the event.

### **~~8.6.1~~ Community events**

The Council aims to support community events ~~i(eg Play Streets)~~ in the interests of supporting community inclusiveness, connectivity, and wellbeing. This policy commits to improve opportunities and information for community events by providing updated ~~information and~~



guidance on areas, such as ~~templates for accessibility, hazard management, and~~ health and safety plannings.

#### ~~8.6.2~~ **Protests**

The Council is committed to protecting fundamental rights and freedoms such as the right to freedom of expression and freedom of peaceful assembly. ~~An event approval is not required for protests, however if~~ you are planning a protest that might affect other people's access to or use of public space or to vehicle traffic, you are required to provide advance notice to the Council.

It is advised that you give us ~~as much as~~ at least three weeks' notice ~~as possible~~ so we can assist you with health and safety, and traffic management plans. It is ~~also~~ strongly advised that you contact the police to advise them of your planned protest.

### **8.7 Hoardings in public places**

~~Hoarding – Is a temporary fixed wall that is installed to help manage safety of pedestrians passing a worksite.~~

~~Wellington City Council's Creative Hoarding programme aims to transform the visual impact of our city's construction sites through commissioning locally relevant artworks, creating an urban canvas that reduces graffiti and enhances people's wellbeing and experience of the city.~~

~~22. Any hoarding in public space is required to install an artwork through the Council's Creative Hoarding programme.~~

#### ~~23.22.~~ **8.8 Markets**

~~Market – Any public place where there is more than one stall at a common location offering goods and/or services for sale or hire, whether for commercial or charitable purposes.~~

Any group or individual interested in establishing an open-air market in a public place should contact the Council. The Council will assess applications to establish an open-air market on a case-by-case basis against this policy. Market stall applicants must approach the market organiser directly for a site. Note that resource consent may also be required, in accordance with the District Plan.

#### ~~24.23.~~ **8.9 Mobile trading**

The Council welcomes operators to trade from multiple locations throughout Wellington. Operators can only trade from their exact approved location(s). Details of the mobile trading vehicle and any associated signs or display must be provided to the Council. The hours or days that the mobile trading shop or vehicle occupies a public place at any one time will also need to be provided.

A mobile trading licence may be issued which allows trade at multiple approved locations in Wellington per year. A mobile trading licence does not give operators a lease or any permanent use of the public land. Parking restrictions and road rules must be complied with at all times.

#### ~~25.24.~~ **8.10 Outdoor dining**

Outdoor dining can add to the city's vibrancy and contributes to Wellington's sense of place if well designed and located. It can also add significant value to cafes, bars, and restaurants through increased customer capacity and demand. However, if outdoor dining is not managed well, the furniture can clutter public places and create obstacles for pedestrians.

Each outdoor dining furniture element to be located within an approved area is deemed to constitute a temporary obstruction. This may include, but is not limited to, tables, chairs, menu boards, umbrellas, heaters, potted plants, queueing furniture, and barriers or fences. The following rules apply to the placement of outdoor dining furniture:

- j. It will not interfere with safe and efficient pedestrian movement and if on footpaths, the minimum continuous accessible path of travel is maintained.
- k. It must be located outside the approval holder's premises, ~~within the width of the building frontage~~.
- l. Barriers or markers may be required to delineate the approved area, pedestrian thoroughfares, and the area licensed for alcohol consumption.
- m. Unobstructed access to and from the premises must be maintained.
- n. There must be sufficient space for easy movement of chairs and people.
- o. All furniture should be high quality, durable, waterproof, and weather resistant, designed for outdoor use and well-maintained.
- p. The type of any proposed heating devices must be identified, and the required safety features.
- q. All furniture should integrate well with the surrounding environment and must be safe.
- r. All furniture must be stored away from public areas outside of the ~~be removed from hours specified on the licence, the outdoor seating area, and stored away from public areas, outside the operating hours of the business or when not in use.~~

It is the approval holder's responsibility to reasonably ensure that any items placed on the footpath remain in their designated locations, if shifted by the wind or patrons. Licensees may be required to submit a proposed pedestrian thoroughfare and traffic management plan. If alcohol is to be supplied, served, or consumed it is the approval holder's responsibility to ensure compliance with the Sale and Supply of Alcohol Act 2012.

Outdoor seating will not be permitted on street corners with pedestrian crossings or near entry points of designated pedestrian crossings. Requests from businesses for seating approvals above ground level are unlikely to be approved because of the management responsibilities required. If there is not enough space on the footpath to safely place outdoor furniture, the Council should be contacted to discuss options.

#### **26-25. 8.11 Public micromobility share schemes**

Commercial operators of public micromobility share schemes will require a licence to trade in a public place. The operators will be subject to prohibitions and restrictions imposed by the licence and Code of Practice.

The prohibited and/or restricted areas for the riding of commercial micromobility devices will be set out as conditions in the Code of Practice.

They are not allowed in designated cycle lanes<sup>31</sup> that are part of the road, and they are not permitted on footpaths in the following areas:

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<sup>31</sup> At the time of writing, micromobility devices are not allowed in designated cycle lanes that are part of the road but this may change as Waka Kotahi NZ Transport Agency and Ministry of Transport review the legislation that covers transport devices.

- Cuba Mall
- The Botanic Gardens
- Bolton Street Cemetery
- Ōtari-Wilton's Bush
- Truby King Park
- The Golden Mile

A minimum of \$5,000,000 public liability insurance is required for any public micromobility shared schemes.

#### ~~27.26.~~ **8.12 Parklets**

Parklets are the setting aside of road corridor land for a use not related to traffic. When parklets are used commercially or privately for trading or event activities, approval will be required under this policy for the activity.

#### ~~28.27.~~ **8.13 Retail displays**

Retail displays are considered an extension of the goods or services inside the shop. High quality retail displays can enhance the variety and vitality of footpaths. However, if they are not properly managed, they can create obstacles for pedestrians and impede pedestrian flows.

The following rules apply to retail displays:

**l.** Must be relevant to the goods or services sold within the shop.

~~**m.** The stand must be no wider than 600mm and no higher than 780mm.~~

~~**n.m.**~~ Retail displays should be located within the width of their building frontage. They must always maintain the minimum continuous accessible path of travel.

~~**o.n.**~~ The stand must be elevated from the ground and have a solid base extending to the outer edges of the display.

~~**p.o.**~~ Retail displays must be secured, not have sharp edges or protrusions that may create an obstacle or a safety hazard.

~~**q.p.**~~ Displays must not block footpaths, doorways, bus stops, fire escapes, mobility parks, or roads.

~~**r.** The stand must not be within 5m of an intersection or 2m of a pedestrian crossing.~~

~~**s.q.**~~ Alcohol, knives, firearms, or dangerous and offensive objects must not be displayed.

~~**t.r.**~~ The retail display is not a point of sale, all items must be purchased inside the premises.

~~**u.s.**~~ The stand must not use voice, music, amplified sound, or any other material to attract customers.

~~**v.t.**~~ The stand must be removed from the public space outside of business hours.

~~**w.u.**~~ Any hanging goods must have a minimum of 2.5m clearance from the footpath.

~~**v.**~~ Food displays must comply with any requirements of the Council's Public Health Team and the Food Act 2014.

#### ~~29.28.~~ **8.14 Sandwich boards**

Sandwich boards will be provided for in the Council's Signage in Public Places Policy (under review). In the context of this policy, sandwich boards must hold ~~and display~~ current approval to be placed on public footpaths and other public places.

The following rules apply to the placement of sandwich boards on footpaths:

**p.** The pedestrian priority principle must be applied, and the minimum continuous accessible path of travel maintained.

~~**q.** Only one per retail premise.~~

- ~~r-q.~~ They must be placed at the kerb edge of the footpath adjacent to the relevant premise.
- ~~s-r.~~ Sandwich boards should be positioned in line with other obstructions, such as other sandwich boards, veranda or street sign poles, and rubbish bins.
- ~~t-s.~~ Access to or egress from the premises must not be obstructed.
- ~~u-t.~~ No sandwich boards shall be approved adjacent to bus stops, mobility parks, taxi stands, or pedestrian crossing locations.
- ~~v-u.~~ Sandwich boards may not be attached to fixed or temporary street furniture without prior written approval from the Council.
- ~~w-v.~~ \_\_\_\_\_ The approval holder is responsible for ensuring the sandwich board remains located in the designated position, including if moved by pedestrians or wind.
- ~~x-w.~~ \_\_\_\_\_ Sandwich boards must be removed from the footpath outside of the business's trading hours.

The following rules apply to the design and quality of sandwich boards:

- ~~y-x.~~ Information on the boards must comply with relevant Advertising Standards Authority requirements.
- ~~z-y.~~ They must have a wide base which can be identified easily by people who are blind or have low vision. To improve visibility, the base or a strip on the base must be of a colour in contrast to the footpath.
- ~~aa-z.~~ \_\_\_\_\_ Should be safe and have no sharp edges or protrusions that may create an obstacle or a safety hazard for pedestrians. Rotating designs will not be approved anywhere in Wellington.
- ~~bb-aa.~~ \_\_\_\_\_ The maximum dimensions are 600mm wide by 600mm deep by 900mm high.
- ~~cc-bb.~~ \_\_\_\_\_ They must be weighted to ensure stability and must be taken inside when there is a risk that wind gusts may topple them or change their position. Bases designed to be weighted by water must be kept in operating order.
- ~~dd-cc.~~ \_\_\_\_\_ To prevent them collapsing in windy conditions, easel-type boards must have a mechanism that locks them in their open position.
- ~~dd.~~ Must be kept in a clean and tidy condition.

### **30-29. 8-15 Street appeals and charity face-to-face fundraisers**

The Council aims to support organisations with their ~~annual~~ street appeals and charity fundraisers in a managed way to minimise conflict with other activities on public spaces such as pedestrian movement and retail activity.

The following conditions apply to all street appeals and face-to-face fundraising:

- Collectors and fundraisers must not obstruct or pursue members of the public to solicit a donation or subscription.
- Collectors and fundraisers are to be clearly identified and display the name of the organisation and the appeal. Face-to-face fundraisers must wear Council approved identification at all times.
- Pedestrian access is to be maintained at all times.
- No furniture is to be used in conjunction with the activity.
- Rubbish is to be kept to a minimum and collection areas must be left clean and tidy.
- No more than three collectors at any one collection point.

The Council rosters the annual street appeals. National charities that have a designated ~~s~~Street ~~a~~Appeal date are given special consideration. Applications for a street appeal approval require evidence of the organisation's legal structure and non-profit status. The number of street appeal collectors and proposed collection locations must be provided to the Council, which will be made publicly available.



A fee is not required for street appeals and charity face-to-face fundraisers; however all collectors must comply with this policy.

The Council works with the Public Fundraising Regulatory Association (PFRA) to roster the charity face-to-face subscription collectionsfundraisers. All charity face-to-face face-to-face fundraisers must be a member of PFRA under this policy. The PFRA website sets out the rules and code of conduct that all face-to-face fundraisers must comply with. It also sets out the complaints process and form. If the public have any concerns about fundraiser's behaviour, PFRA will investigate. As part of their investigation, fundraisers may be required to be re-trained, or further observed by the PFRA. Should a fundraiser be found to be breaking any rules, PFRA can issue fines and penalties, including standing the fundraiser down.

The PFRA website hosts an interactive map which shows the approved site locations and the days and times the site can be used by fundraisers. The Council's website will integrate this information with links to the PFRA website.

### **31.30. 8.16 Other activities**

For activities not specifically listed in this policy, contact the Council to discuss whether an approval is required for the activity. Applications for approval to undertake trading or event activities other than those identified will be assessed against this policy on a case-by-case basis.

## **Attachment three**

### **Consultation document for trading and event sites on reserves and Wellington Town Belt**

#### **1. Background**

We consulted on the proposed Trading and Events in Public Places Policy (the policy) from Wednesday 7 July to Monday 16 August 2021. As part of the policy consultation, we asked the public for their views on proposed sites on reserves and Wellington Town Belt where identified low-scale and low-impact trading and event activities could potentially occur with officer approval. We heard a wide range of views. Many were supportive of the proposals to streamline our approval processes for activities on reserves and Wellington Town Belt land. Some submitters expressed concerns about the proposals, and some wanted more clarity and information.

The concerns were themed into the following areas:

- Why were some sites left out, such as the Waterfront?
- Are we commercialising the Wellington Town Belt and reserves?
- Are we treating reserves and Wellington Town Belt just like footpaths and road reserves?
- Why didn't we provide for mobile and transitory-type activities?

#### **What about the consideration of other sites?**

Sites **not on** Wellington Town Belt and reserves, such as the Waterfront and Tawa Plaza, were intentionally excluded from the original policy consultation. The scope of this consultation only included sites located on reserve or Wellington Town Belt land, which aligns with our intention to improve the current approval process for low-scale and low-impact commercial activities on these land types. Currently, applications for these low-scale activities require Committee approval and public consultation, which can be a lengthy process with a lot of uncertainty.

Including reserve and Wellington Town Belt sites and activities in this policy consultation enables us to satisfy the legislative requirements of obtaining Committee approval and carrying out public consultation. This means that officers would have the delegation to approve or decline any applications for the identified activities at the "pre-approved" sites, thereby streamlining the process for activities at these sites. Note that activities on Wellington Town Belt still require committee approval for each individual licence under section 17 of the Wellington Town Belt Act 2016.

As detailed in the original Statement of Proposal, officers will identify sites **not on** the Wellington Town Belt and reserves that are suitable for trading and event activities. The selection of these sites will be based on a review of the feedback we received as part of the policy consultation and the engagement with the public on the Let's Talk page (where pins were dropped on sites where people wanted to see more trade and activity). Any potential sites will be assessed against the policy and information about them will be made available on our website.

#### **Commercialising concerns**

The aim of this consultation was to streamline the application process for the identified low-scale and low-impact activities on the specific Wellington Town Belt and reserve sites. It is

important to clarify that the activities and sites we consulted on were not a blanket approval for activities to go ahead. It is also important to note that some of the activities we are proposing are already occurring. **All applications still require a full impact and benefit assessment** by officers against the policy, the management plans, the legislation, and any other relevant Council bylaws, plans, or policies.

The officers will consider the site's environmental, cultural, heritage, and recreation values and assess each proposal on its merit, compatibility, and appropriateness to the location and site conditions. Our aim is to protect and enhance the land's cultural, natural, recreation, and community values. Any application for activities that are not identified, or if the application is assessed as having a level of impact more than minimal, committee approval (subject to public consultation) would still be required.

This consultation meets the requirements under the Wellington Town Belt Act 2016 and Reserves Act 1977 by identifying the specific reserve and Wellington Town Belt sites where the identified low-scale and low-impact activities can occur. The public have the opportunity to feedback on the proposals and this will be presented to the Committee. After this pre-approval stage, officers will then assess each individual application and either approve or decline it. As noted above, activities on the Wellington Town Belt still require committee approval for each individual licence under section 17 of the Wellington Town Belt Act 2016.

#### [Treating reserves and Wellington Town Belt "just like footpaths"](#)

This proposed policy recognises the key differences with all the various land types that the Council either owns or manages. Its goal is to take a customer-focused approach by making the experience for the operator wishing to run low-scale and low-impact activities as straightforward as possible. It is not to treat applications for activities on reserve and Wellington Town Belt the same as we would for road reserve. We take pride in being kaitiaki of these precious resources, that is why the only activities we have identified are ones where the impact is low, there is no built infrastructure, they enhance the community's use and enjoyment of the site, and there is compatibility with the core values of each area. Again noting that officers still carry out a full assessment of each application against the policy, and relevant legislation and management plan.

#### [Providing for mobile and transitory activities](#)

In our initial consultation, we only listed the land parcels where the stationary-type or part of the activity would be positioned. For example, we envisaged that for mobile-type activity, such as professional dog walking, the vehicle associated with the activity would be parked on the listed land parcel, but the activity would take place on the adjacent reserve/Wellington Town Belt areas. However, due to the feedback received, we think more clarity should be provided.

We need to be clear that some activities move around and take place across multiple land parcels, such as mountain bike tours across a whole track network. Conversely, some activities are stationary and therefore will only be based at a specific location, for example, a mobile food cart at a reserve carpark. Therefore as part of this subsequent consultation, we are further defining the activities and specifying if they are mobile and/or stationary-type activities. We are also being more specific about which activities we are consulting on at each site.

As a result of the concerns raised, we will carry out further public consultation on the Wellington Town Belt and reserve sites and activities to:

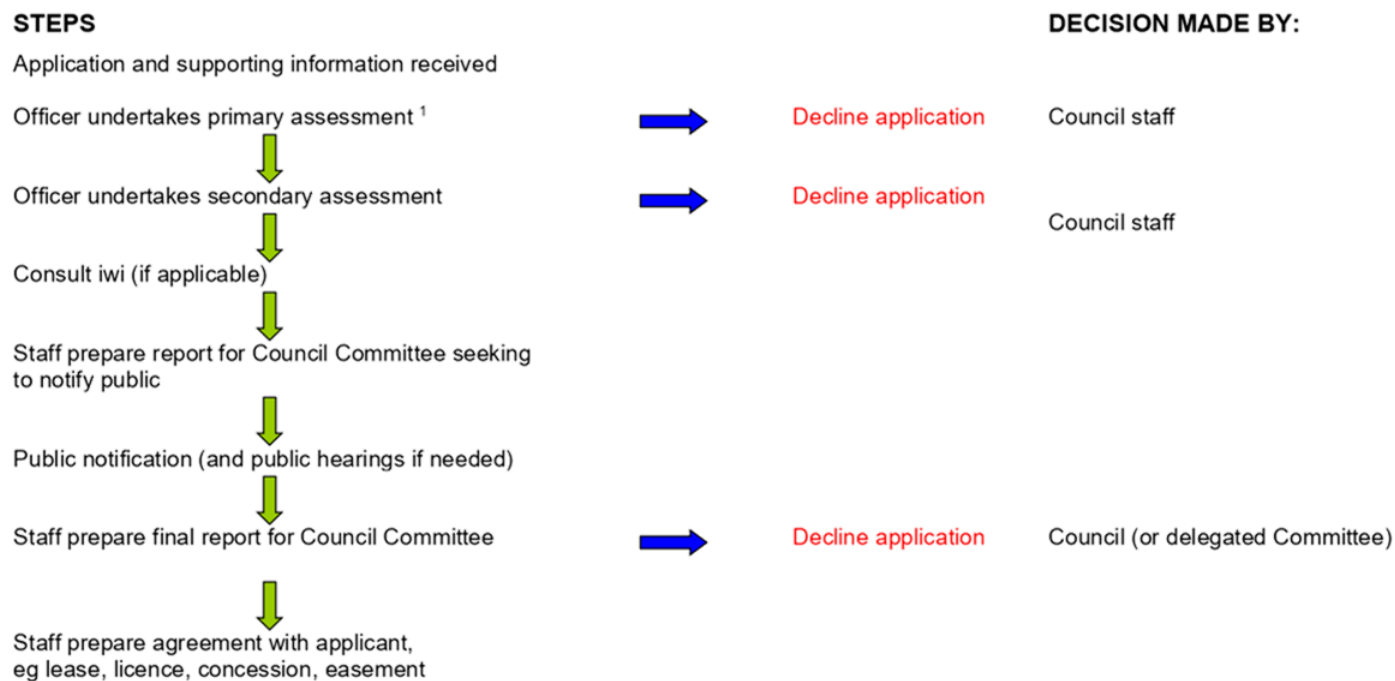
- clarify which activities will be carried out at each site
- allow for mobile and transitory-type activities that take place across the reserve and Wellington Town Belt track network

- further elucidate our rationale for why we are making these proposals
- further engage with Mana Whenua about the sites identified as Sites and Areas of Significance to Māori (SASM).



To provide some context and clarity, below are three flow diagrams illustrating both the current and proposed processes for landowner approval to use reserve and Wellington Town Belt land.

**A. Current process** for landowner approval to use reserves and town belt for commercial trade and event activities



<sup>1</sup> The applicant may be asked to provide further information during the assessment stage

**B. Proposed process** for landowner approval to use Wellington Town Belt and reserves for the identified low-scale and low-impact trade and event activities

**“Pre-approval” one-off stage** (*current stage*)

**STEPS:**

Staff prepare report for Council Committee seeking to notify public of the sites on Wellington Town Belt and reserves suitable for low-scale and low-impact trading and event activities



Public notification (and public hearings if needed)



Staff prepare final report for Council Committee



Decline some/all sites/activities

Council Committee

**DECISION MADE BY:**

**Following STEPS**  
**for each application on a Town Belt site**

Application and supporting information received

Officer undertakes assessment



Decline application

Council staff



Consult iwi (for SASM sites identified as Category One)



Staff prepare report for Council Committee seeking approval for the licence



Decline application

Council/Committee



Staff prepare agreement with applicant

**Following STEPS**  
**for each application on a reserve site**

Application and supporting information received

Officer undertakes assessment



Decline application

Council staff



Consult iwi (for SASM sites identified as Category One)



Staff prepare agreement with applicant

**DECISION MADE BY:**



## 2. Managing Sites and Areas of Significance to Māori, SNAs, and historic sites

The SASM, Significant Natural Areas, and historic sites are identified on **Table 2** and **Table 3** below. Any activity occurring on or near Sites and Areas of Significance to Māori listed in the District Plan require consideration of the intrinsic relationship Mana Whenua has as kaitiaki of these sites and areas. Consultation with Heritage New Zealand may be required to manage activities on any historic sites. The District Plan sets out the specific provisions to manage the effects of trading and event activities occurring on sites that are identified as SASM, SNA, and/or heritage.

## 3. Trading and event activities

The trading and event activities that we have identified as being low-impact and low-scale that officers will have a delegation to approve or decline are listed in **Table 1** (below). The activities have been delineated in the table as either stationary or mobile with a stationary component. The activities have been assessed against the guiding principles in this policy, and the relevant management plan and legislation:

<b>Table one: trading and event activities</b>	
<b>Activity</b>	<b>Description</b>
<b>Stationary activities</b>	
Food/coffee trucks/carts	Food and coffee carts. These will be parked in a designated area (such as the carpark areas of the identified sites). It is temporary and the contrivance can be removed once trading has ended for the day
Recreation equipment hire	Equipment that is used to support recreation in the surrounding vicinity. For example, surfboard hire, umbrellas/walking sticks, and bike hire.
Recreation services provision	Services that support recreation use in the vicinity at a fixed site. For example, dog washing and mountain bike servicing/cleaning.
<b>Mobile activity with a stationary component</b>	
Commercial tours/guiding	Low-scale and low-impact tours. Examples include movie tours, garden tours, general bus tours, wild-life tours, and mountain bike tours.
Commercial one-off events	Commercial one-off events <sup>2</sup> that are either large scale or regular.
Commercial lessons/coaching/group fitness	These are low-scale and low-impact lessons, instruction, or classes. These include mountain bike coaching, windsurfing, parkour, and bootcamps. For the garden sites, commercial lessons include educational and interpretation instruction.
Professional dog walking/training	Professional dog walkers can operate from any public place as set out in the Council's Dog Policy. They are required to complete the Council's professional dog walking/training annual registration, which provides detail of sites that may have restrictions on hours of access.

<sup>2</sup> Note that under the management plans, events that are run on a 'cost-recovery' or 'not-for-profit' basis are classified as a managed activity that can be approved or declined by Council officers.



#### **4. Sites for mobile activities**

The mobile activities listed in **Table 1** above can take place on any formal and legitimate track network in any reserve or Wellington Town Belt provided:

- the tracks are only used according to the relevant management plan's rules for the area. For example, a mountain bike tour could not take place in Ōtari-Wilton's bush as that reserve is closed to mountain biking
- approval is obtained from Council officers
- there is no use of illegal or unauthorised tracks.

Below are a series of six maps which show the track networks on the reserves in each ward and the Wellington Town Belt.

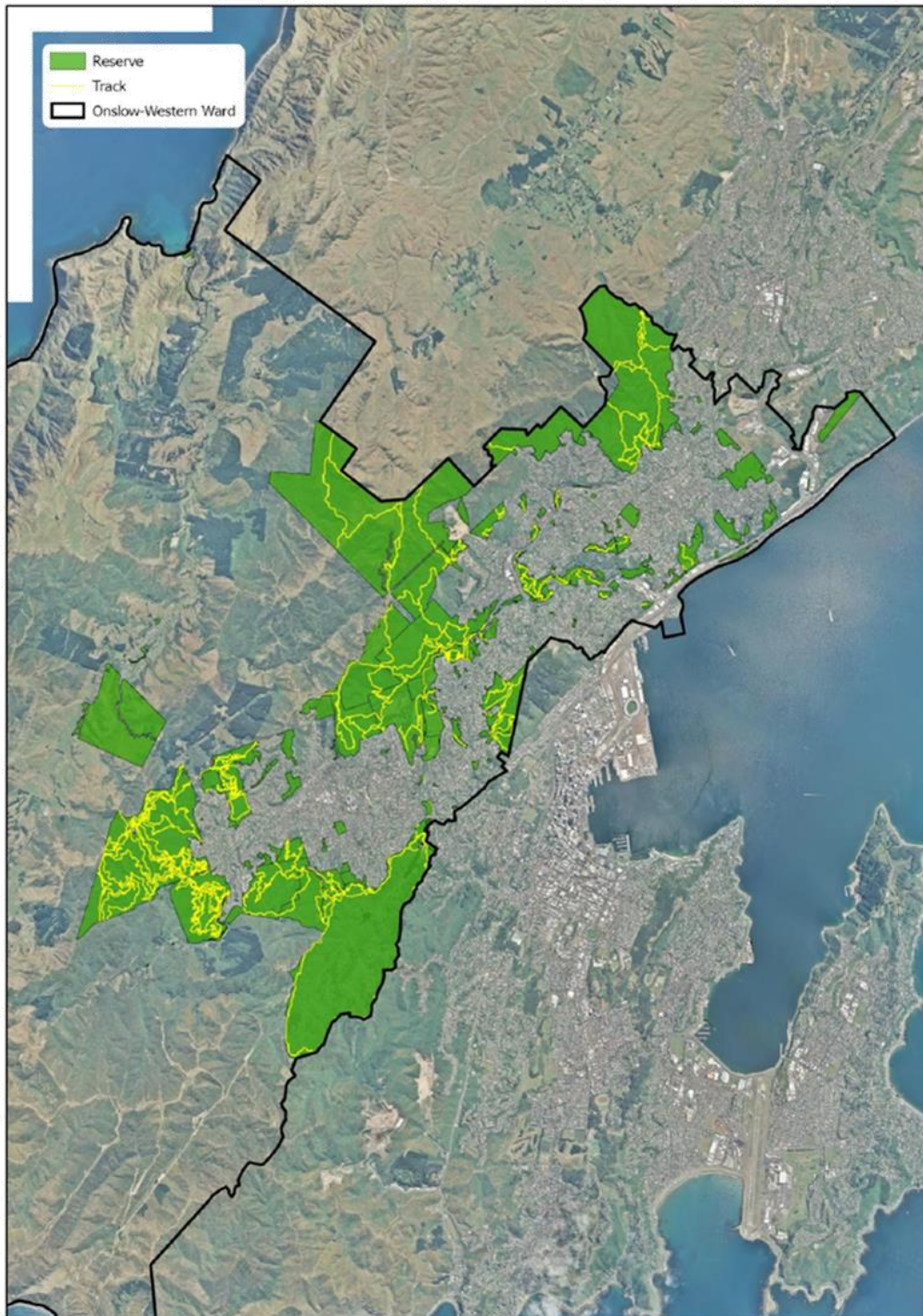
**Maps of the tracks network on reserves and Wellington Town Belt**

**Motukairangi/Eastern Ward Tracks and Reserves**

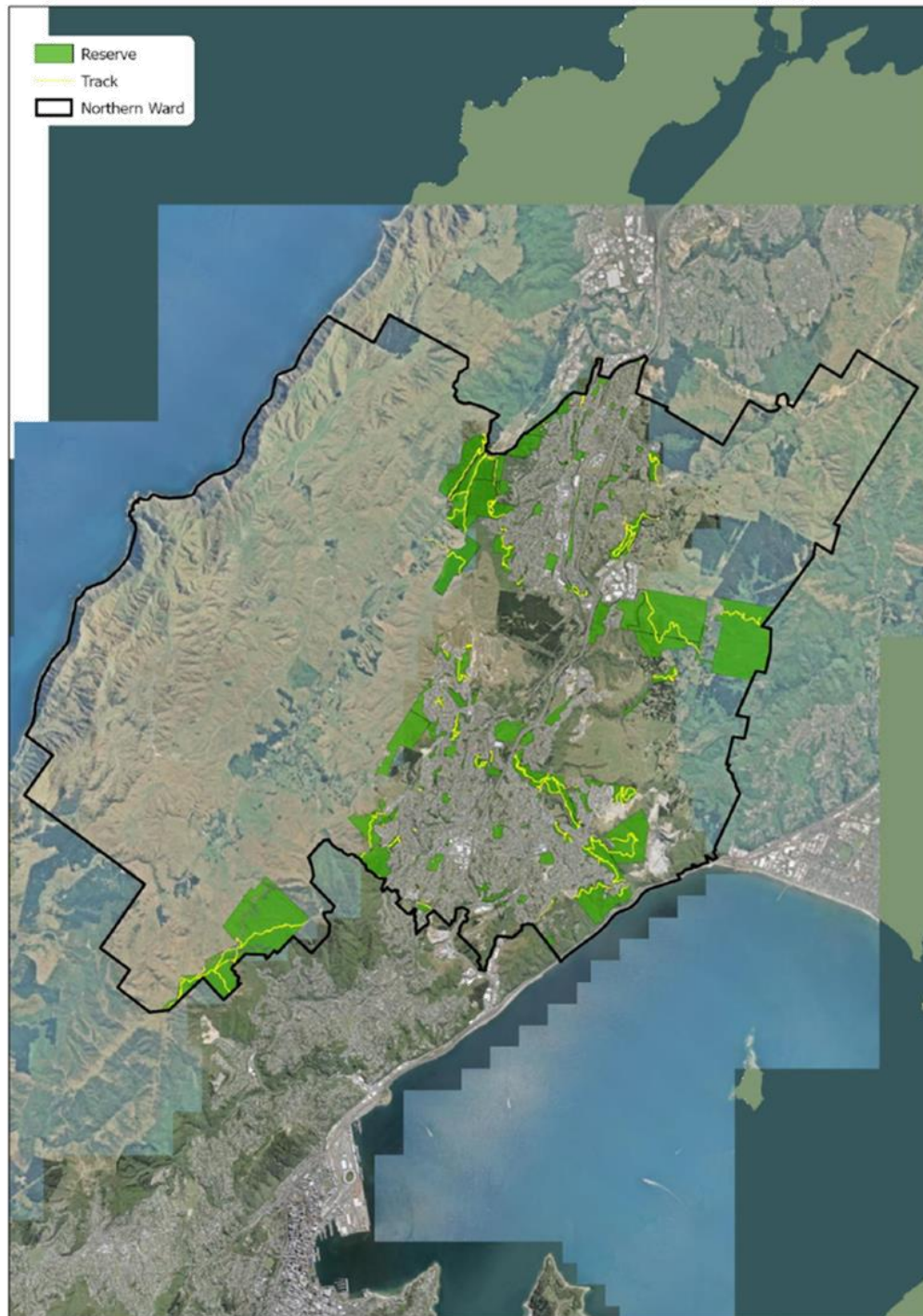




**Wharangi/Onslow-Western Ward Tracks and Reserves**

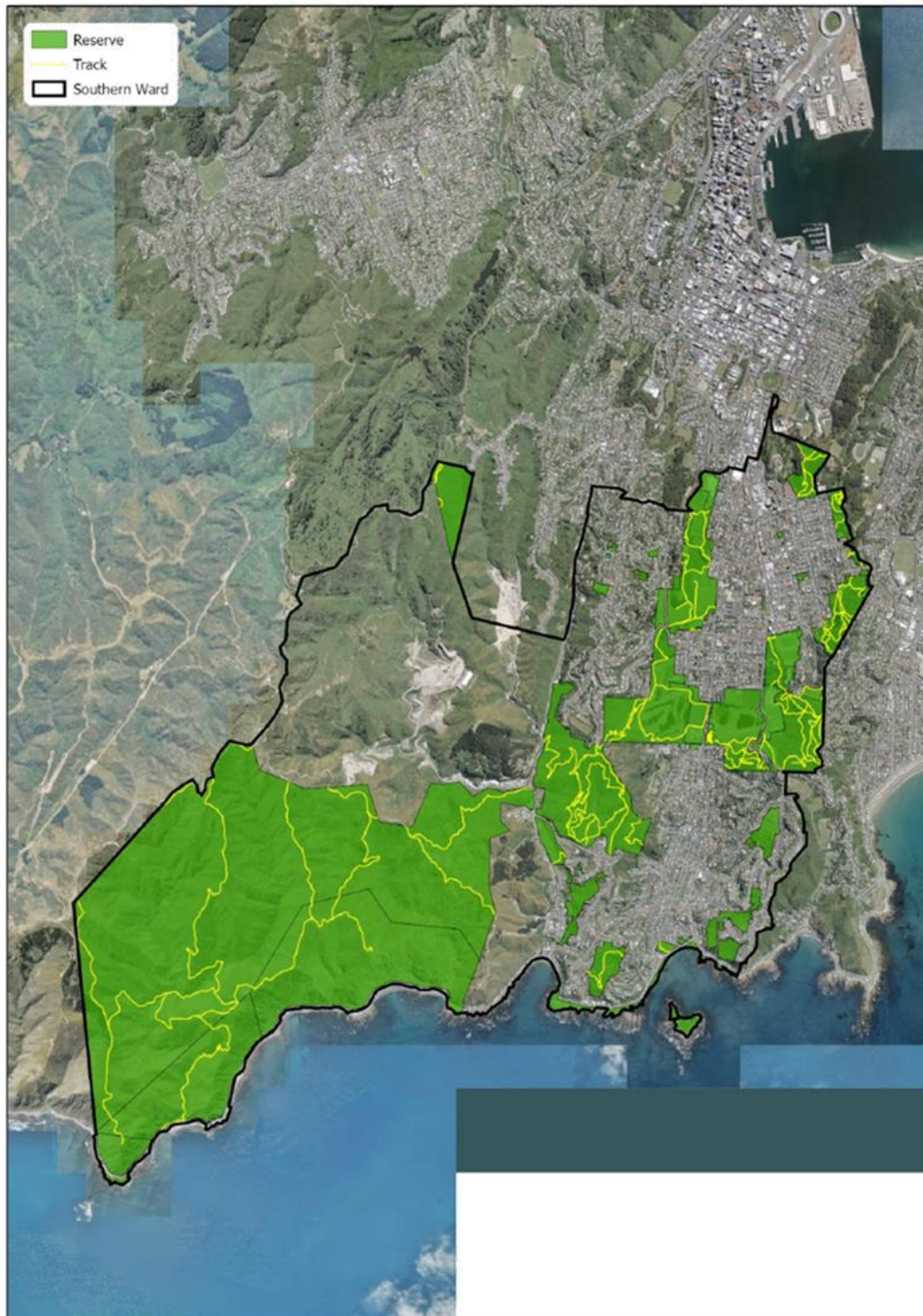


**Takapū/Northern Ward Tracks and Reserves**





**Paekawakawa/Southern Ward Tracks and Reserves**





**Pukehinau/Lambton Ward Tracks and Reserves**





**Wellington Town Belt Tracks**




#### 5. Maps of stationary activities on reserves

**Table 2** below sets out the sites on reserves for all the stationary activities, as well as for the stationary component (eg vehicle) of any mobile activities listed in **Table 1** above. Council officers will assess applications for the listed activities and either approve or decline them.

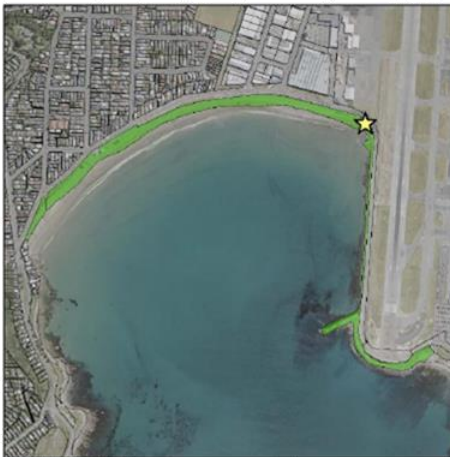

**Note the specific stationary locations on the reserve sites are delineated as a star. Officers have discretion to change the location of the activity within the site to respond to changing operational requirements. If there is no star present, the location will be specified as part of the assessment.**



**Note:** the sites in the table that are marked with an asterisk indicate land that does not have reserve status under the Reserves Act 1977 but is managed by the Council as a reserve. This applies to land such as a legal road that is situated next to a reserve and there is no clear distinction between property types.


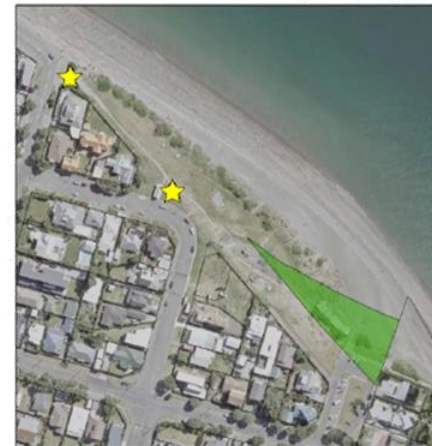
**Table 2: Identified sites for stationary trading and event activities on Wellington reserves**

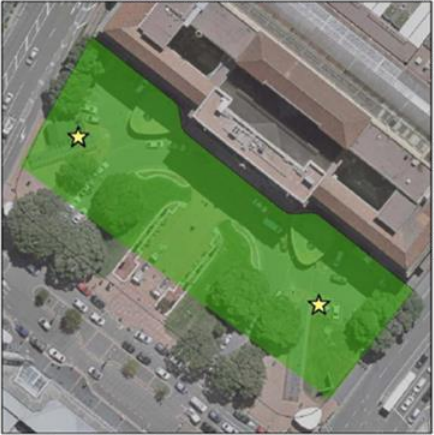

Activities	Legal title	Land type	Photo of site
<b>Motukairangi – Eastern Ward</b>			
<b>1. Centennial Reserve/ Miramar mountain bike park and pump track</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Section 95 Watts Peninsula DIST (WN23B/720)</li> <li>• Lot 1 DP 8458 (WN483/174)</li> <li>• Part Lot 1 Deposited Plan 4741 (WN18D/1420)</li> </ul>	Recreation and Scenic reserve	





2. Lyall Bay Beach and Carpark – close to Hue-te-para (SASM)			
<ul style="list-style-type: none"><li>• Recreation equipment hire</li><li>• Recreation services provision</li></ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"><li>• Commercial events</li><li>• Commercial lessons and group fitness</li></ul>	<ul style="list-style-type: none"><li>• Lot 6 Deposited Plan 75384 (WN43B/27)</li><li>• Part Lot 3 Deposited Plan 2456 (WN428/268)</li><li>• Lot 3 Deposited Plan 78304 (WN45A/75)</li></ul>	<ul style="list-style-type: none"><li>• Local Purpose Reserve (Esplanade)</li><li>• Local Purpose (Esplanade)</li><li>• Fee simple</li></ul>	
<p><i>Notes:</i></p> <ul style="list-style-type: none"><li>• no food activities</li><li>• Nb – no kite surfing commercial operations near the airport side.</li><li>• Conditions re-lighting for any events</li></ul>			
3. Evans Bay Marina, Hataitai*			
<ul style="list-style-type: none"><li>• Mobile food/coffee carts</li><li>• Recreation equipment hire</li><li>• Recreation services provision</li></ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"><li>• Commercial events</li><li>• Commercial lessons and group fitness</li></ul>	<ul style="list-style-type: none"><li>• Lot 11 Deposited Plan 88742 (WN56B/543)</li></ul>	Fee simple	


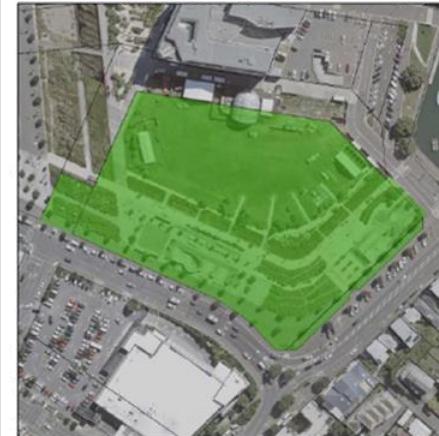
<b>4. Worser Bay beach and carpark* – close to Kakariki-Huta Pā (SASM)</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Lot 6-7 DP 2755 (WN53C/679)</li> <li>• Lot 8-10 DP 2755 (WN53C/679)</li> <li>• Part Section 104 Watts Peninsula DIST (WN424/180)</li> </ul>	Recreation reserve and road reserve	
<b>5. Cog Park</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 2 DP 88742 (WN56B/536)</li> </ul>	Recreation Reserve	



<b>6. Kilbirnie Park – Akau-tangi Pā (SASM)</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Lot 1 DP 6069 (WNE2/462)</li> <li>• Part Lot 2 DP 6069 (WNE2/462)</li> <li>• Part Lot 3 DP 6069 (WNE2/462)</li> <li>• Part Lot 4 DP 6069 (WNE2/462)</li> <li>• Part Lot 5 DP 6069 (WNE2/462)</li> <li>• Lot 1 DP 49327 (WN21C/33)</li> <li>• Part Lot 3 DP 11975 (WN21C/306)</li> <li>• Part Lot 4 DP 11975 (WNE2/463)</li> </ul>	Reserve for Local Purposes (community purposes) and Recreation	
<b>7. Churchill Park and surrounding road reserve*, Seatoun – near Kirikiri-tātangi (SASM)</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 1 Deposited Plan 6189 (WN358/274)</li> </ul>	Recreation reserve and Legal road	



Pukehinau- Lambton Ward			
8. Railway Station Reserve – listed heritage area			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 1 Deposited Plan 13123 WN508/152</li> </ul>	Held by WCC upon trust as a street	
9a. Wellington Botanic Garden and Anderson Park (managed under the Botanic Gardens of Wellington Management Plan 2014)			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons</li> </ul>	<ul style="list-style-type: none"> <li>• Part Lot 1 DP 8530 (WN48A/126)</li> <li>• Section 1231 TN OF Wellington</li> <li>• Section 1224 TN OF Wellington (WNC2/1321)</li> <li>• Section 1225 TN OF Wellington (WNC2/1321)</li> <li>• Lot 2 DP 81339 (WN48A/125)</li> </ul>	Local Purpose Reserve for Public Gardens	



<b>9b. Bolton Street Cemetery (managed under the Botanic Gardens of Wellington Management Plan 2014)</b>			
<p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 2 DP 50793 (WN20C/399)</li> </ul>	<p>Historic purposes reserve</p>	
<b>10. Glover Park</b>			
<ul style="list-style-type: none"> <li>• Outdoor dining only</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul> <p><b>Nb: no food trucks</b></p>	<ul style="list-style-type: none"> <li>• Lot 2 DP 35152 (WN12B/228)</li> <li>• Part Section 152 TN OF Wellington (WN340/45)</li> <li>• Part Section 152 TN OF Wellington (WN20D/599)</li> <li>• Part Section 152 TN OF Wellington (WN26/16)</li> </ul>	<p>Recreation Reserve</p>	


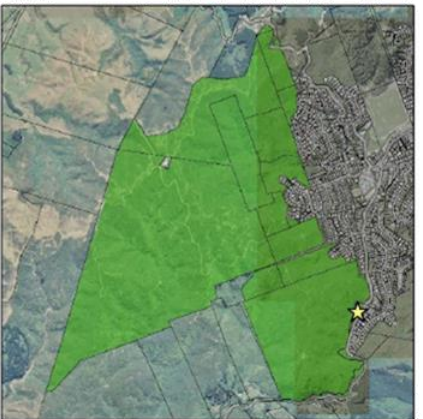
<b>11. Te Aro Park – Te Aro Pā (SASM)</b>			
<ul style="list-style-type: none"> <li>• Outdoor dining only</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events (small scale)</li> </ul> <p><b>Nb:</b> no food trucks</p>	<ul style="list-style-type: none"> <li>• Lot 2 DP 80681 (WN47B/261)</li> </ul>	Recreation Reserve	
<b>12. Waitangi Park</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 2 DP 77454 (WN43D/201)</li> </ul>	Recreation Reserve	



<b>13. Freyberg pool carpark and beach and Oriental Parade Beach*</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Section 1 SO 24076 (WNC1/1427)</li> <li>• Section 32 Block VII Port Nicholson SD (WN27D/765)</li> <li>• Section 33 Block VII Port Nicholson SD</li> <li>• Part Res L TN OF Wellington</li> </ul>	Fee simple	
<b>14. Frank Kitts Park*</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	Lot 2 Deposited Plan 436892	Fee simple	


Takapū- Northern Ward			
15. Grasslees Reserve			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Section 284 District Porirua and Section 195 District Porirua (WN12C/702)</li> <li>• Section 407 Porirua District (WN22A/572)</li> </ul>	Local Purpose Reserve for Recreation Purposes	
16. Grenada North Park and Play Area			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 2 DP 50139 (WN38D/485)</li> </ul>	Recreation Reserve	





<b>17. Alex Moore Park</b>			
<ul style="list-style-type: none"> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul> <p><b>Nb: no food services</b></p>	<ul style="list-style-type: none"> <li>• Lot 1-2, 5-17, 19-30 Deposited Plan 2107</li> <li>• Part Lot 31-32 Deposited Plan 2107</li> <li>• Lot 33, 35-40 Deposited Plan 2200 (WN600/20)</li> </ul>	Recreation Reserve	
<b>18. Raroa Park</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Section 218 Porirua DIST (WN23C/916)</li> <li>• Part Section 324 Porirua DIST (WN27D/107)</li> <li>• Part Section 6 Porirua DIST (WN20B/768)</li> </ul>	Recreation Reserve	



<b>19. Pukehuia Park – Newlands</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Lot 1 DP 10372(WN23A/127)</li> <li>• Part Lot 4 A 2370 (WN23A/127)</li> <li>• Part Lot 3 A 1834 (WN23A/127)</li> <li>• Part Lot 2 A 2370 (WN23A/127)</li> <li>• Part Lot 1 DP 4735 (WNA1/131)</li> <li>• Part Section 231 Porirua DIST (WN23B/633)</li> <li>• Part Section 12 Porirua DIST (WN23A/127)</li> </ul>	Recreation Reserve	
<b>Wharangi- Onslow-Western Ward</b>			
<b>20. Makara Peak Reserve</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Section 47-48 Makara District and Part Section 53 Karori District</li> </ul>	Recreation reserve	



<b>21. Ian Galloway Park – BMX Area and Wilton Park – Sportsfield</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 1 Deposited Plan 59984 (WN33C/807)</li> <li>• Lot 9 Deposited Plan 84537 and Section 1, 3 Survey Office Plan 551206</li> <li>• Lot 5 DP 64470</li> <li>• Section 1 Survey Office Plan 37014 (WN42C/388)</li> </ul>	Recreation Reserve	
<b>22. Ōtari-Wilton's Bush (managed under the Botanic Gardens of Wellington Management Plan) – Listed heritage area and SNA</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons</li> </ul>	<ul style="list-style-type: none"> <li>• Part Section 1 Kaiwarra District (WN158/218) and Wilton Road</li> <li>• Part Section 1 Kaiwarra District WN176/113</li> <li>• Subdivision 1-5 Lot IX Ōtari Native Reserve</li> <li>• Part Lot VI, Part Lot VII and Part Lot VIII Ōtari Native Reserve and Part Section 2 Block VI Port Nicholson Survey District (WN255/167)</li> <li>• Section 1 Survey Office Plan 318813</li> </ul>	Scenic reserve and legal road	

<b>23. Appleton Park</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 143 DP 2707 (3814427)</li> </ul>	Recreation Reserve	
<b>24. Karori Cemetery (managed under the Cemeteries Management Plan)</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Section 31 and Part Section 33 Karori District</li> </ul>	Local Purpose Reserve for cemetery purposes	



<b>Paekawakawa – Southern Ward</b>			
<b>25. Shorland Park and Play Area – Te Mapunga....(SASM)</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Lot 478 &amp; 479 DP 251 (WN321/264 &amp; WN428/133)</li> <li>• Lot 460-462, 473-475, 481-483 Deposited Plan 251</li> <li>• Part Lot 463, 476, 478-479, 484 Deposited Plan 251</li> <li>• Part Section 9 Town District</li> </ul>	Recreation Reserve	
<b>26. Truby King Park (managed under the Botanic Gardens of Wellington Management Plan)</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 2 Deposited Plan 12692 (WN47B/601)</li> <li>• Lot 3 Deposited Plan 12692 (WN31D/11)</li> <li>• Lot 2 Deposited Plan 43888 (WN15C/229)</li> </ul>	Historic Reserve	

<b>27. Brooklyn Wind Turbine*</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Section 5 Upper Kaiwharawhara District (WN20C/479)</li> </ul>	Fee simple	
<b>28. Ōwhiro Bay Quarry*/Te Kopahou – Red Rocks – Whare Raurekau Kāinga (SASM)</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• The roads shown as The Esplanade, Reef Street, The Parade, and Derwent Street on DP 251 (WN49/176)</li> </ul>	Legal road	

<b>29. Te Raekaihau Point – Princess Bay (SASM)</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Lot 3 DP 90866</li> </ul>	Recreation Reserve	
<b>Makara-Ohariu</b>			
<b>30. Makara Beach Foreshore and Reserves – Ōwhariu Pā (SASM) and SNA</b>			
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Lot 1 Deposited Plan 8890 (part Gazette Notice B040434.1) and Makara Road</li> <li>• Lot 1-5, 20, 54, 56-60 Deposited Plan 8890 and Lot 2 Deposited Plan 49579</li> <li>• Title Number 821453</li> </ul>	Scenic Reserve and legal road	

#### 6. Maps of stationary activities on WTB

**Table 3** below sets out the sites on the Wellington Town Belt for all the stationary activities, as well as for the stationary component (eg vehicle) of any mobile activities listed in **Table 1** above. Council officers will assess applications for the listed activities and the Council (or delegated Committee) will either approve or decline them. For clarity, this consultation satisfies the Council's obligations under section 17 of the Wellington Town Belt Act 2016 and therefore applications for these listed at activities at these "pre-approved" sites will not require any further consultation. However, if officers and/or the Committee consider further consultation is warranted for any reason, the Council reserves the right to further consult.

**Note the specific stationary locations on the reserve sites are delineated as a star. Officers have discretion to change the location of the activity within the site to respond to changing operational requirements. If there is no star present, the location will be specified as part of the assessment.**

Table 3: Identified sites for stationary trading and event activities on Wellington Town Belt land.

Activities	Legal title	Photo of site
<b>31. Kelburn Park and Play Area</b>		
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Deposited Plan 10086 (WN19A/369)</li> <li>• Section 3cSO 476360 (WN716/19)</li> </ul>	



<b>32. Matairangi/Mt Victoria Look out (SASM)</b>		
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<p>Section 3 Survey Office Plan 476360 (WN52B/855)</p> <p>Section 3cSO 476360 (WN716/19)</p>	
<b>33. Matairangi/Mt Victoria Nature Trail Area (SASM)</b>		
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<p>Section 1 Survey Office Plan 476360 (WN52B/855)</p>	

<b>34. Hataitai Park</b>		
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<ul style="list-style-type: none"> <li>• Part Lot 1 Deposited Plan 8519 (WN48B/341)</li> <li>• Lot 4 Deposited Plan 81724 (WN48B/339)</li> <li>• Section 1 Survey Office Plan 481442 (WN48B/341)</li> </ul>	
<b>35. Wakefield Park</b>		
<ul style="list-style-type: none"> <li>• Mobile food/coffee carts</li> <li>• Recreation equipment hire</li> <li>• Recreation services provision</li> </ul> <p><i>Stationary component of:</i></p> <ul style="list-style-type: none"> <li>• Commercial tours and guiding</li> <li>• Commercial events</li> <li>• Commercial lessons and group fitness</li> </ul>	<p>Part Lot 1 Deposited Plan 10322 (WN47B/388)</p>	







## FORWARD PROGRAMME

### Kōrero taunaki

### Summary of considerations

#### Purpose

1. This report provides the Forward Programme for the Pūroro Rangaranga | Social, Cultural and Economic Committee for the next two meetings.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- |  |   |
|--|---|
| <b>Strategic alignment with priority objective areas from Long-term Plan 2021–2031</b> | <input type="checkbox"/> Sustainable, natural eco city<br><input type="checkbox"/> People friendly, compact, safe and accessible capital city<br><input type="checkbox"/> Innovative, inclusive and creative city<br><input type="checkbox"/> Dynamic and sustainable economy<br><br><input type="checkbox"/> Functioning, resilient and reliable three waters infrastructure<br><input type="checkbox"/> Affordable, resilient and safe place to live<br><input type="checkbox"/> Safe, resilient and reliable core transport infrastructure network<br><input type="checkbox"/> Fit-for-purpose community, creative and cultural spaces<br><input type="checkbox"/> Accelerating zero-carbon and waste-free transition<br><input type="checkbox"/> Strong partnerships with mana whenua |
|--|---|

#### Relevant Previous decisions

Not applicable.

#### Financial considerations

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Nil | <input type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|---|--|---|

#### Risk

- |   |                                 |                               |                                  |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

Author	Sean Johnson, Senior Democracy Advisor
Authoriser	James Roberts, Chief Operations Officer (Acting)

### Taunakitanga

#### Officers' Recommendations

Officers recommend that Pūroro Rangaranga | Social, Cultural and Economic Committee:

1. Receive the information.

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## **Whakarāpopoto**

### **Executive Summary**

2. The Forward Programme sets out the reports planned for Pūroro Rangaranga meetings in the next two meetings that require committee consideration.
3. The Forward Programme is a working document and is subject to change on a regular basis.

### **Kōrerorero**

### **Discussion**

4. Thursday 2 December 2021
  - Khandallah Pool (Chief Customer and Community Officer)
  - Te Kopahou Tracks network plan (post consultation) (Chief Customer and Community Officer)
  - Future of former Workingmen's Bowling Club Site, 177 Owen Street (Chief Customer and Community Officer)
  - City Housing sustainability: mixed tenure modelling (Chief Customer and Community Officer)
  - Notice of Motion: City Housing (Chief Customer and Community Officer)
  - Recommendation from Grants Subcommittee: Grants criteria for Living Wage for Events Fund (Chief Customer and Community Officer)
  - Recommendation from Grants Subcommittee: Updating criteria for the Social and Recreation and Arts and Culture Funds (Chief Customer and Community Officer)
5. Thursday 3 February 2022
  - Draft Economic Wellbeing Strategy (Chief Strategy and Governance Officer)
  - Sustainable Food Network (Chief Customer and Community Officer)
  - Te Mahana Strategy: terms of reference for strategy review (Chief Customer and Community Officer)
  - ASB Sports Centre re-naming (Chief Customer and Community Officer)
  - 10 Year Māori Strategy (Chief Māori Officer)

### **Attachments**

Nil

## ACTIONS TRACKING

### Kōrero taunaki Summary of considerations

#### Purpose

1. This report provides an update on the past actions agreed by the Pūroro Rangaranga - Social, Cultural and Economic Committee at its previous meetings.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

#### Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy
- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### Relevant Previous decisions

Not applicable.

#### Financial considerations

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Nil | <input type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|---|--|---|

#### Risk

- |   |                                 |                               |                                  |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

Author	Sean Johnson, Senior Democracy Advisor
Authoriser	James Roberts, Chief Operations Officer (Acting)

#### Taunakitanga

#### Officers' Recommendations

Officers recommend the following motion

That the Pūroro Rangaranga | Social, Cultural and Economic Committee:

1. Receive the information.

#### Whakarāpopoto

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## **Executive Summary**

2. This report lists the dates of previous committee meetings and the items discussed at those meetings.
3. Each clause within the resolution has been considered separately and the following statuses have been assigned:
  - In progress: Resolutions with this status are currently being implemented.
  - Complete: Clauses which have been completed, either by officers subsequent to the meeting, or by the meeting itself (i.e. by receiving or noting information).
4. All actions will be included in the subsequent monthly updates, but completed actions will only appear once.

## **Takenga mai Background**

5. At the 13 May 2021 Council meeting, the recommendations of the Wellington City Council Governance Review (the Review Report) were endorsed and agreed to be implemented.
6. At the 13 May 2021 Council meeting, the recommendations of the Wellington City Council Governance Review (the Review Report) were endorsed and agreed to be implemented.
7. The purpose of this report is to ensure that all resolutions are being actioned over time. It does not take the place of performance monitoring or full updates. The committee could resolve to receive a full update report on an item if it wishes.

## **Kōrerorero Discussion**

8. Following feedback, the status system has been changed so that resolutions either show as 'in progress' or 'complete'.
9. Of the 35 resolutions of the Pūroro Rangaranga | Social, Cultural and Economic Committee in October 2021:
  - 19 are in progress.
  - 16 are complete.
10. 19 in progress actions were carried forward from the last action tracking report. Of these:
  - 18 are still in progress.
  - 1 is complete.
11. Further detail is provided in Attachment One.

## **Attachments**

Attachment 1. Action Tracking - November [↓](#) 

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Date	Meeting	Item	Clause	Status	Comments
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Wellington City Council Housing Action Plan 6-month Report	3. Note that the Housing Action Plan is currently under review, recognising changes to the proactive development (creating additional affordable supply), homelessness and City Housing sustainability priority areas. The reviewed Housing Action Plan will incorporate decisions made at this committee on housing supply and Te Kāinga, as well as decisions made on City Housing sustainability, and will be brought to Pūroro Āmua Planning and Environment later in 2021.	In progress	Committee paper planned for November, to cover reviewed Action Plan through to next triennium, accessible unit target setting, a proposal to review the housing strategy, an update on housing quality and healthy homes
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Wellington City Council Housing Action Plan 6-month Report	5. Agree that future reports on the Housing Action Plan include targets to increase the number of universal design/accessible units across Council's portfolio including Te Kāinga, what actions have been taken to increase Wellington's accessible housing stock, and updates on progress against targets.	In progress	Underway, engagement with AAG has provided some important input to target setting. Officers will report back to Pūroro Āmua Planning and Environment in November
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.3 City Housing Financial Sustainability	6. Agree to the following: a) Note that it is estimated that approximately 80% of city housing tenants would be eligible for IRRS if it was available b) Note that the Council is disappointed that the Government did not commit to implementing IRRS for City Housing tenants in budget 2021 given the long standing importance of this to tenant welfare and to the ongoing sustainability of City Housing. c) Instruct the Mayor and the CEO to write to the Minister of Housing and the Minister of Finance seeking to enter into formal negotiations to amend the Deed of Grant between the Council and the Crown including, but not limited to providing that IRRS is available for City Housing tenants. d) Agree that the reply to the letter to the Minister is formally tabled at the next available Council committee meeting after it is received. e) Instruct officers to commence work in parallel on items (i – iv) below for an initial report back to the Committee in September 2021 and to provide further reports to Committee on a quarterly basis: i) Establish a CHP (new entity) to enable tenants to access the IRRS and substantially address the operating deficit (subject to public consultation) ii) Negotiate with the government for the CHP to receive immediate access to the IRRS for all current, eligible tenants, rather than only for new tenants as properties turn over (current government policy settings) iii) Establish a sustainable financing model to fund the CHP's housing upgrade and asset maintenance requirements which may be another new entity (e.g. an SPV), or other arrangement, depending on subsequent decisions about the CHP structure (subject to public consultation) iv) If required, commit to provide a one-off capital injection to set the CHP (or SPV) up on a sustainable long-term footing, the size of which will depend on	6a & 6b: Complete 6c & 6d: Complete 6e: In progress	Officers reported to Committee in October. Work on Recommendation e continues in line with the resolutions from the October paper.
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.4 Update on the Te Kāinga Programme	5. Agree to progressing discussions on the unsolicited proposals for the long-term lease of the properties detailed in Attachment Two and note that discussions are underway to establish the financial requirements for both the developers and Wellington City Council.	In progress	Update on programme will be reported back to Pūroro Āmua Planning and Environment in November.

Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.4 Update on the Te Kāinga Programme	6. Authorise the Chief Executive to conclude all matters in relation to the projects detailed in Attachment Two, including the execution of the head agreement to lease sites on behalf of Council.	In progress	Update on programme will be reported back to Pūroro Āmua Planning and Environment in November.
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.4 Update on the Te Kāinga Programme	7. Note that a 6-month evaluation report on Te Kāinga Aroha will be provided to Pūroro Āmua   Planning and Environment Committee in October 2021 with the full report provided to Committee in April 2022.	In progress	6-month evaluation report to Pūroro Āmua Planning and Environment in November.
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.5 Affordable Housing Supply and Development	4. Agree that officers will report back to Pūroro Āmua   Planning and Environment Committee in October 2021 with further advice on: a. An updated position on the Housing Acceleration Fund b. Progress on discussions with HUD and KO on how we can deliver more affordable housing supply at scale and pace.	In progress	Update on programme will be reported back to Pūroro Āmua Planning and Environment in November.
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.5 Affordable Housing Supply and Development	7. Note that subject to agreement of recommendation 6, officers will report back to Pūroro Āmua   Planning and Environment Committee in early August with a detailed 5-year plan including indicative timeline for delivery of the 1000 homes.	In progress	Update on programme will be reported back to Pūroro Āmua Planning and Environment in November.
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.5 Affordable Housing Supply and Development	8. Agree that officers will report back to Pūroro Āmua - Planning and Environment Committee in October 2021 confirming: a. Progress on the redevelopment of the Harrison Street Development site b. A preferred development scheme for the Nairn Street site including an assessment of mixed tenure opportunities and indicative budget for the project.	In progress	Update on programme will be reported back to Pūroro Āmua Planning and Environment in November.
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.5 Affordable Housing Supply and Development	9. Agree that Build Wellington will progress with further assessment and feasibility on the potential for development, under a joint venture approach, of the five sites identified for divestment under the Strategic Housing Investment Plan (SHIP) that have capacity for redevelopment.	In progress	Update on programme will be reported back to Pūroro Āmua Planning and Environment in November.
Wednesday, 2 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.5 Affordable Housing Supply and Development	10. Agree, that subject to agreement of recommendation 9, officers engage early with Ngāti Toa Rangitira and Taranaki Whānui ki Te Upoko o te Ika on opportunities to undertake a joint venture approach to redevelopment.	In progress	Update on programme will be reported back to Pūroro Āmua Planning and Environment in November.
Tuesday, 22 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reporting back on public consultation of a new lease and new licence on Wellington Town Belt: Squash New Zealand Inc and Tanera Garden Inc	3. Agree to grant a new licence under the Wellington Town Belt Act 2016 to Tanera Garden Incorporated for a three-year term with one renewal term of five years. The land at Tanera Park is part of the Wellington Town Belt and is legally described as Part Lot 1 DP 10508 WN608/4.	In progress	Awaiting response from Lessee to proposed Lease. Estimated completion date is December 2021.
Tuesday, 22 June 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 Cemeteries Management Plan	6. Note that options for non-perpetual plots will be reported back to Council for approval <b>within the next three years</b> .	In progress	
Thursday, 5 August 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Wellington College Artificial Sportsfield Partnership	2. Agree to the extension of the current Funding Deed for Wellington College Artificial Sportsfield.	In progress	Preparing Funding Agreement extension. Estimated completion date is November.
Thursday, 5 August 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Wellington College Artificial Sportsfield Partnership	3. Agree to the allocation of up to \$150,000 plus GST if applicable of Sportsville Partnership funding, subject to final negotiations, to Wellington College for the installation of a new artificial sports field.	In progress	Preparing Funding Agreement extension. Estimated completion date is November.
Thursday, 5 August 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Wellington College Artificial Sportsfield Partnership	4. Agree to a contribution of up to 50% of the lighting upgrade costs within the term of the 10-year extension, timing and costs to be confirmed in the Funding Deed.	In progress	Preparing Funding Agreement extension. Estimated completion date is November.

Thursday, 2 September 2021	Pūroro Rangaranga   Social, Cultural and Economic	3.1 Pōneke Promise safety initiatives	3. Officers will review the membership of the Pōneke Promise Governance group to ensure there is representation from key community stakeholders including youth organisations.	Complete	
Thursday, 2 September 2021	Pūroro Rangaranga   Social, Cultural and Economic	3.1 Pōneke Promise safety initiatives	5. Agree that Council officers approach DCM, Take Ten, the Ministry of Social Development, the Ministry of Housing and Urban Development, Kainga Ora, Capital and Coast District Health Board and the tertiary institutions and students' associations in Wellington with a view to them becoming partners. Note that this is not an exhaustive list. It is anticipated that other appropriate organisations may wish to become partners over time, the Council will encourage this.	In progress	Over the next 2 months we will engage with our stakeholders and agree on a process for this. Estimated to be completed by December.
Thursday, 2 September 2021	Pūroro Rangaranga   Social, Cultural and Economic	3.1 Pōneke Promise safety initiatives	6. Note that for public sector agencies, the provision of agreed actions, services, resourcing and/or funding should form part of the relevant MOU.	In progress	Estimated to be completed by December.
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbroke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	1. Receive the information.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbroke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	2. Agree to grant an easement in perpetuity over land at Waihinahina Park - in Memory of Dennis Duggan, being part of Lot 2 DP 303502 (ROT 14039), pursuant to s48 of the Reserves Act 1977.	In progress	Currently waiting for detailed designs from applicant.
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbroke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	3. Delegate to the Chief Executive Officer all necessary powers to negotiate and finalise the terms of the easement, including compensation.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbroke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	4. Note that any betterment compensation would be applied to enhancing other reserve areas in the Northern Suburbs.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbroke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	5. Note that the works within the easement area will be subject to the relevant bylaw, building and/or resource consent requirements.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbroke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	6. Note that the works to install the stormwater attenuation ponds will proceed in accordance with final Parks, Sport and Recreation agreement to all park management, work access, reinstatement plans, establishment, and maintenance periods.	Complete	

Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbrooke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	7. Note that the above approval is conditional on: a. public notification under sections 119 and 120 of the Reserves Act 1977; and b. no sustained objections resulting from the above consultation and notification; and c. approval of final design and ongoing management requirements and responsibilities by the Chief Infrastructure Officer; and d. all related costs being met by Woodridge Homes Ltd.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbrooke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	8. Note that a further report will be submitted (if necessary) to summarise submissions and recommend whether to uphold objections.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbrooke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	9. Note that Parks, Sport and Recreation will work with the Dog Working Group to discuss how the stormwater attenuation ponds affect the use of the park by dogs.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.1 Reserves Act 1977: Stormwater Attenuation Easement - 33 Ladbrooke Drive, Newlands (Waihinahina park - In Memory of Dennis Duggan)	10. Note that Parks, Sport and Recreation will discuss the natural environment with community planting groups that have worked in the park (for example Woodridge planters)	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	1. Receive the information.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	2. Note, following direction by Pūroro Rangaranga in June, officers are pursuing two parallel tracks to resolve City Housing's financial sustainability challenges, including: a. direct discussions with the Crown seeking opportunities to partner in new social housing supply and Crown financial support for City Housing (particularly access to the Income Related Rent Subsidy (IRRS)) to resolve City Housing's financial sustainability challenges b. beginning design work to establish a new Community Housing Provider (CHP) c. Note the community requests for the Income Related Rent Subsidy (IRRS) for Wellington City Council tenants and agree to make further representations to Government to share these views.	In progress	Next report backs will be a paper on mixed tenure modelling in December 2021, and draft consultation material and LTP amendment in March 2022 for the SCP process.
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	3. Note City Housing is in an unsustainable financial position, with operating and capital funding shortfalls, and cash reserves that will be depleted by 2022/23, and will be unable to meet Deed of Grant requirements beyond FY2022/23	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	4. Note, as directed by Pūroro Rangaranga in June, the Mayor wrote to the Ministers of Housing and Finance seeking to discuss resolution of City Housing's financial challenges and, following this, the Mayor, Councillor Fitzsimons, and officers met with the Minister of Housing in September	Complete	



Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	5. Note that following this meeting, officers are actively working with the Ministry of Housing and Urban Development (HUD) and Kāinga Ora to consider ways in which the Crown and Council may work together to resolve City Housing's financial situation (Crown Support Option)	In progress	Next report backs will be a paper on mixed tenure modelling in December 2021, and draft consultation material and LTP amendment in March 2022 for the SCP process.
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	6. Note that there is currently no certainty about if or when a decision on the Crown Support Option would be made by the government	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	7. Note that, given the limited time between now and 2022/23, the two workstreams (discussions with the Crown and CHP design) need to continue to progress in parallel	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	8. Agree that the following prioritised objectives will guide analysis of options, including determination of a preferred option, across the two parallel workstreams: a. Tenant wellbeing: Improve the rental affordability and social outcomes for existing and future social housing tenants b. Financial sustainability: Return the social housing service and portfolio to a stable, long-term financial footing, while minimising any adverse impact on the Council's financial position and/or borrowing capacity c. Increase supply: Increase the supply of social housing in the Wellington region d. Housing upgrades: Meet the Council's commitment under the Deed of Grant to deliver the second half of the upgrade programme and meet its \$180m share of the cost e. Partnerships: Create opportunities for community partnership in the delivery of social housing and other services and housing development f. Feasibility: Ensure the solution is feasible to deliver and implement in the short-term g. Flexibility: For CHP options only, provide Council with flexibility to adjust the design of the CHP in the future, subject to the CHP's performance, or to take advantage of future opportunities	In progress	Objectives will be included for consultation as part of the SCP process run during the Annual Plan

Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	<p>9. Note that, in designing a CHP, the Council needs to make five key decisions:</p> <ul style="list-style-type: none"> <li>i. What kind of legal entity should the CHP be – this determines its ownership and governance arrangements, and the Council's role in governance</li> <li>ii. Should the Council transfer housing assets to the CHP – this determines the extent to which the CHP can pursue new supply and redevelopment objectives and the Council's ownership of the portfolio</li> <li>iii. Aside from housing assets, should the Council provide the CHP with an upfront capital injection – this determines the pace at which it can advance the upgrade work and pursue new supply and redevelopment objectives</li> <li>iv. What services should the CHP provide – this determines whether the CHP only provides tenancy services and manages minor/reactive repairs or whether it also manages major property maintenance and upgrades. A CHP could also offer an expanded range of support services by tendering for government social service contracts</li> <li>v. How will the CHP finance the housing upgrade programme – this determines whether the CHP finances the upgrades directly using its own balance sheet, or whether it uses the Council's balance sheet, or finances the programme via an alternative off-balance sheet financial arrangement</li> </ul>	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	10. Note that this paper seeks decisions on questions i-iv, and that question v. will be brought back to the Committee for consideration, along with further advice, in May 2022	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	<p>11. Note officers have developed three shortlisted CHP options and assessed these against the objectives in Recommendation 8:</p> <ul style="list-style-type: none"> <li>a. Option 1 ("Maximum" CHP): Independent community-owned trust (or limited partnership or company), with full asset transfer, no additional capital injection, and a full-service offering (not officer preferred)</li> <li>b. Option 2 ("Intermediate" CHP): Independent community-owned trust (or limited partnership or company), with leasehold assets, "medium" capital injection, and a transition to a full-service offering (with Option 2 – independent community-owned trust (Option 2 – ICT) as officer preferred)</li> <li>c. Option 3 ("Minimum" CHP): Independent community-owned trust (or limited partnership or company), with leasehold assets, "low" capital injection, and limited service offering (not officer preferred)</li> </ul>	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	12. Agree that Option 2 – ICT is the Council's preferred CHP option, on the basis that it best meets the prioritised objectives set out in Recommendation 8	In progress	Will be included for consultation (along with rates/debt option and non-preferred CHP options) through the SCP run with the Annual Plan. Draft consultation material will come to AP/LTP committee in March 2022.

Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	13. Agree to consult through a Special Consultative Procedure (with a consultation document and corresponding LTP amendment) as part of next year's Annual Plan, on the reasonably practicable options to address City Housing's financial sustainability, being: a. Three shortlisted CHP options set out in Recommendation 11 above (with Council preference indicated for Option 2 – ICT) b. Fully funding the operating deficit through rates and debt funding the capital programme	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	14. Note the proposals for consultation will note that: a. Feedback is being sought on the public's preferred way forward if the Crown does not provide support or if the Crown Support Option is insufficient to return the portfolio to a financially sustainable footing b. If, following completion of the consultation process, the Crown does provide support, then further consultation may occur, if required, in relation to the Crown Support Option	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	15. Note that all options, including options under discussion with the Crown, are likely to require either amendment to the Deed of Grant or approval under the Deed of Grant	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	16. Direct officers to report back to the AP/LTP Committee by March 2022 with the following: a. Consultation document, Statement of Proposal (and corresponding LTP amendment) and engagement programme for review, prior to audit of the consultation material	In progress	Paper to AP/LTP committee with draft consultation material in March 2022.
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	17. Direct officers to report back to Pūroro Rangaranga by May 2022 with further detailed CHP design advice on: a. CHP governance arrangements, including partnership opportunities (further detail on question i) b. Source, form and timing of CHP capitalisation (further detail on question iii) c. Design of a ring-fenced major maintenance fund (further detail on question iv) d. Options to finance the upgrade programme (question v) e. CHP registration process and requirements f. A CHP transitional support package that will meet the Council's financial commitments under the Deed of Grant and provide early support for the CHP while the IRRS revenue stream increases over time.	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	18. Note officers are currently undertaking work on mixed tenure development modelling to determine how these kinds of developments could support the financial sustainability of City Housing.	In progress	Report back to Social Committee in December
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.2 City Housing sustainability: CHP design options	19. Agree that Council officers will report back to Planning and Environment committee in late November with this advice as part of the package of papers updating on the Housing Action Plan and the Proactive development priority.	In progress	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.3 Economic wellbeing strategy - engagement approach	1. Receive the information.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.3 Economic wellbeing strategy - engagement approach	2. Note the sector feedback received to date on the city's economic challenges as outlined in this report.	Complete	

Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.3 Economic wellbeing strategy - engagement approach	3. Agree to Option 2: Co-creation of draft strategy – the co-creation approach of developing the draft Economic Wellbeing Strategy as outlined in the report.	In progress	A paper seeking approval to consult is scheduled to come to this committee on 3 February 2022.
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.3 Economic wellbeing strategy - engagement approach	4. Note that officers will bring a co-created draft Economic Wellbeing Strategy to the December committee meeting.	In progress	A paper seeking approval to consult is scheduled to come to this committee on 3 February 2022. This has been rescheduled due to the heavy workload of the committee in December.
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.4 Forward Programme	1. Receive the information.	Complete	
Thursday, 7 October 2021	Pūroro Rangaranga   Social, Cultural and Economic	2.5 Actions Tracking	1. Receive the information.	Complete	







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### **3. Committee Reports**

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## **REPORT OF THE KĀWAI WHAKATIPU | GRANTS SUBCOMMITTEE MEETING OF 13 OCTOBER 2021**

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**Members:** Mayor Foster, Councillor Day, Councillor Fitzsimons (Chair), Councillor Foon, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Young.

**The Committee recommends:**

#### **3.1.1 SOCIAL AND RECREATION FUND AUGUST 2021**

##### **Recommendation/s**

That the Pūroro Rangaranga | Social, Cultural and Economic Committee:

1. Agree to bring forward \$100,000 of allocated funding for Wellington Tennis Inc from the 2022-23 financial year and allocate from the 2021-22 Sports Partnership Fund budget.

##### **Attachments**

Nil