

**ORDINARY MEETING**

**OF**

**REGULATORY PROCESSES COMMITTEE**

**AGENDA**

Time: 01:00 pm  
Date: Thursday, 17 March 2016  
Venue: Committee Room 1  
Ground Floor, Council Offices  
101 Wakefield Street  
Wellington

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**MEMBERSHIP**

Mayor Wade-Brown  
Councillor Ahipene-Mercer (Chair)  
Councillor Foster  
Councillor Lee  
Councillor Pannett  
Councillor Sparrow

**Have your say!**

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

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## **AREA OF FOCUS**

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

**Quorum:** 3 members

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## 1 Meeting Conduct

### 1.1 Apologies

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

### 1.2 Conflict of Interest Declarations

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

### 1.3 Confirmation of Minutes

The minutes of the meeting held on 11 February 2016 will be put to the Regulatory Processes Committee for confirmation.

### 1.4 Public Participation

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

### 1.5 Items not on the Agenda

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

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

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

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

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



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## 2. General Business

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### ROAD CLOSURE

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#### Purpose

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

#### Summary

2. The Wellington City Council has received an applications from the following event organisers: Film Wellington.

#### Recommendations

That the Regulatory Processes Committee:

1. Receive the information.
2. Note that recommendations in this report should not be amended without first carrying out further consultation with affected parties and verification from the Council's Traffic engineer that the amendment is not likely to cause unreasonable impact on traffic.
3. Agree to close the following roads for the above events to vehicles and cyclists only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Report for the Local Feature Film:
  - a) Saturday 2<sup>nd</sup> April 2016 – 7am to 7pm
    - o Brandon Street (between Jervois and Lambton Quay)
    - o Featherston Street (between Johnston and Panama St)
  - b) Sunday 3<sup>rd</sup> April 2016 – 6.30 am to 11.00am Road Closure and 11.00am to 7pm Stop Go Traffic Control. Buses will still be able to access:
    - o Willeston Street (between Victoria and Willis Streets)
    - o Customhouse Quay (between Willis and Grey Street)
    - o Featherston Street (from Grey Street to Hunter Street)
    - o Hunter Street (Featherston Street to Jervois Quay)
  - c) Wet Weather Cover 8<sup>th</sup> and 15<sup>th</sup> of May 6.30am to 7pm Road Closure:
    - o Ballance Street (between Stout and Featherston Streets)
    - o Maginnity Street
    - o Waring Taylor Street (between Featherston Street and Lambton Quay)
    - o Johnston Street (between Lambton Quay and Featherston Street)
  - d) Saturday 9<sup>th</sup> April 2016 – 6.30am to 7pm Road Closure and Stop Go Traffic Control around adjoining streets 6.30am to 7pm
    - o Ballance Street (between Featherston Street and Lambton Quay)

- Stout Street (between Lambton Quay and Whitmore Street)
  - Maginnity Street
  - Waring Taylor Street (between Featherston Street and Lambton Quay)
- e) 10<sup>th</sup> April 2016 – 6.30am to 7pm Road Closure
- Ballance Street (between Stout and Featherston Streets)
  - Maginnity Street
  - Waring Taylor Street (between Featherston Street and Lambton Quay)
  - Johnston Street (between Lambton Quay and Featherston Street)

## Background

3. The Council receives numerous requests throughout the year for public roads to be closed for events. These requests are processed and a detailed traffic impact report is prepared for each as attached. This report to the Committee has been prepared, in accordance with the procedures that were approved by the Committee on 15 December 2010.
5. Approval is required from the Regulatory Processes Committee to allow the temporary closure of roads in the Wellington District for an event supported by the Wellington City Council.
6. This will ensure that the Wellington City Council is complying with the requirements of the Local Government Act 2002 for the temporary closure of roads within its jurisdiction.

## Discussion

7. There are a number of road closure requests for different events being brought to the Committee. All the information is in the impact reports attached.

## Attachments

Attachment 1. Local Feature Impact Film Impact Report

Page 10

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



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## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

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

The New Zealand Police and the Ministry of Transport have also been consulted. Any correspondence received in response to the proposed closures has been included in the attached impact report.

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

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

### **Treaty of Waitangi considerations**

There are no Treaty of Waitangi implications.

### **Financial implications**

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

### **Policy and legislative implications**

A Council Traffic Engineer has assessed the proposed closures with regard to the expected impact on traffic. The Traffic Engineer has provided a professional opinion as to whether the resulting impact on traffic is likely to be reasonable or unreasonable.

The proposed closures, if implemented according to an approved traffic management plan and in accordance with specific conditions set by the Traffic Engineer, will enable the safe running of the event and minimise the impact on traffic. If, in the opinion of the Council, the closure may impede or does impede traffic unreasonably, any approval granted by the Council may be revoked and the event organiser may be required to open the road at the direction of the Council's Traffic Engineer.

### **Risks / legal**

Nil

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

N/a

### **Communications Plan**

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

## REGULATORY PROCESSES COMMITTEE

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### PROPOSED TEMPORARY ROAD CLOSURE - IMPACT REPORT

*Local Feature Film*  
*2 and 3 April and 9<sup>th</sup> and 10<sup>th</sup> April 2016*

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#### 1. Description of Event

A Local Film Production company, after scouting a lot of places, has decided that Wellington Central Business District is a great location to film their Local Feature Film.

While they are doing this over the weekend period, they will work alongside public transport providers and local businesses to ensure there is a minimum of disruption.

The proposed road closures are:

#### **Saturday 2<sup>nd</sup> April 2016 – 7am to 7pm**

- Brandon Street (between Jervois and Lambton Quay)
- Featherston Street (between Johnston and Panama St)

#### **Sunday 3<sup>rd</sup> April 2016 – 6.30am to 11am Road Closed, from 11am to 7pm Stop/Go Traffic control**

- Willeston Street (between Victoria and Willis Streets)
- Customhouse Quay (between Willis and Grey Street)
- Featherston St (from Grey St to Hunter St)
- Hunter Street (Featherston Street to Jervois Quay)

#### **Buses will still be able to access**

#### **Saturday 9<sup>th</sup> April 2016 – 6.30am to 7pm Road Closure and Stop/Go Traffic Control around the adjoining streets**

- Ballance Street (between Featherston Street and Lambton Quay)
- Stout Street (between Lambton Quay and Whitmore Street)
- Maginnity Street
- Waring Taylor Street (between Featherston Street and Lambton Quay)

**Sunday 10<sup>th</sup> April 2016 – 6.30am to 7pm Road Closure**

- Ballance Street (between Stout and Featherston Streets)
- Maginnity Street
- Waring Taylor Street (between Featherston Street and Lambton Quay)
- Johnston Street (between Lambton Quay and Featherston Street)

**Wet Weather Cover 8<sup>th</sup> and 15<sup>th</sup> May 2016 6.30am to 7pm Road Closed**

- Ballance Street (between Stout and Featherston Streets)
- Maginnity Street
- Waring Taylor Street (between Featherston Street and Lambton Quay)
- Johnston Street (between Lambton Quay and Featherston Street)

**2. Events Directorate Support**

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

**3. Proposal Notice and Consultation**

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

- Dominion Post Saturday 27 February 2016
- Dominion Post Saturday 5 March 2016 (Correction)

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

**4. Objections**

An objection was received from Cranfields, 40 Johnston Street Wellington.

Cranfields Gift, Furniture and Homewares retailer on 40 Johnston Street trade on a Saturday and Sunday, They actively promote Sunday's to their customers as a great time to shop and collect heavy items because parking is easier. They do not want to lose another 2 days trading in April when they are already being impacted by the following activities.

- David Jones renovation taking away carparks (ongoing)
- A large crane parked outside the shop in November 2015,
- Two further days of road closures in April for filming.

They also go on to say in their objection" that our experience as a small independent retailer when the road is closed our sales and foot traffic are significantly impacted." Film Wellington will contact the objector in an endeavor to work through their issues.

**5. Traffic Impact Assessment**

**Prior Closures**

None of the proposed closures for this event will result in a road being closed for

**Traffic Impact**

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

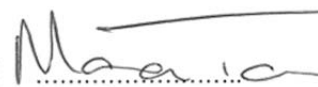
Conditions:


- The road closures for filming must be adhered to as per the times and dates in the report.
- The detour route is to be clearly signed during road closures.
- No Public vehicular traffic will be allowed within the road closure during filming to ensure public safety is not compromised.
- The event organiser is to publicise the event via media releases, letter drops and advanced signage to notify the public of the road closures.
- The event organiser is to have a traffic management plan approved prior to the event.
- The event organiser is responsible for the ongoing maintenance of the temporary traffic management plan during the road closures.
- The event organiser is responsible for safety (pedestrian and traffic) within the closed area.
- The event organiser is to work with the Greater Wellington and NZ Bus concerning public transport operations.
- The event organiser is to ensure that the emergency services (Police, Fire and Ambulance Services) have been consulted with and that the Traffic Management Plan includes all of their specific requirements.
- The event organiser is to work with the objector

Signed  .....  
Stephen Harte  
Programme Manager Transport Network Development

**6. Attachments**

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

Prepared  ..... Endorsed  
Maria Taumaa  
Street Activities Coordinator

 .....  
Warrick Dent  
Manager Major Events



54 9 373 3423

# Proposal to Close Roads

## Local Feature Film

**Saturday 2 April 2016**  
7am-7pm LOC 1  
Brandon Street (between Jervois and Lambton Quay)  
Featherston Street (between Johnston and Panama Street)

**Sunday 3 April 2016**  
6.30am-11am Road Closure  
11am-7pm Stop Go Traffic Control  
Willeston Street (between Victoria and Willis Streets)  
Customhouse Quay (between Willis and Grey Street)  
Jervois Quay/Featherston Street closed from Grey Street to Hunter Street  
Hunter Street (from Lambton Quay)  
Buses will still be able to access

**Wet Weather Cover and / or 2nd Unit Option**  
6.30am-7pm road closed  
Ballance Street (between Stout and Featherston Streets)  
Maginnity Street  
Waring Taylor Street (between Featherston Street and Lambton Quay)  
Johnston Street (between Lambton Quay and Featherston Street)

**Saturday 9 April 2016**  
6.30am-7pm Road Closure and Stop Go Traffic Control  
Ballance Street (between Featherston Street and Lambton Quay)  
Stout Street (between Lambton Quay and Whitmore Street)  
Maginnity Street  
Waring Taylor Street (between Featherston Street and Lambton Quay)

**Sunday 10 April 2016**  
6.30am-7pm Road Closure  
Ballance Street (between Stout and Featherston Streets)  
Maginnity Street  
Waring Taylor Street (between Featherston Street and Lambton Quay)  
Johnston Street (between Lambton Quay and Featherston Street)

Any Person Objecting to a proposed road closure must contact the City Council in Writing before 4pm 12th March 2016.

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

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

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

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## Proposal to Close Roads

The Regulatory Processes Committee will meet on 17 March 2016 to consider the following temporary road closure for filming.

### Local Feature Film

**Saturday 2 April 2016: 7am to 7pm - LOC 1**  
Brandon Street (between Jervois and Lambton quays)  
Featherston Street (between Johnston and Panama streets)

**Sunday 3 April 2016: 6.30am to 11am - Road closed**  
**11am to 7pm - Stop/go traffic control**  
Willeston Street (between Victoria and Willis streets)  
Customhouse Quay (between Willis and Grey streets)  
Jervois Quay/Featherston Street closed from Grey Street to Hunter Street  
Hunter Street (from Lambton Quay)

Buses will still be able to access.

**Saturday 9 April 2016: 6.30am to 7pm - Road closure and stop/go traffic control around the neighbouring streets**  
Ballance Street (between Featherston Street and Lambton Quay)  
Stout Street (between Lambton Quay and Whitmore Street)  
Maginnity Street  
Waring Taylor Street (between Featherston Street and Lambton Quay)

**Sunday 10 April 2016: 6.30am to 7pm - Road closure**  
Ballance Street (between Stout and Featherston streets)  
Maginnity Street  
Waring Taylor Street (between Featherston Street and Lambton Quay)  
Johnston Street (between Lambton Quay and Featherston Street)

**Wet weather cover and/or 2nd Unit Option**  
**6.30am to 7pm - Road closed**  
Ballance Street (between Stout and Featherston streets)  
Maginnity Street  
Waring Taylor Street (between Featherston Street and Lambton Quay)  
Johnston Street (between Lambton Quay and Featherston Street)

If you object to this proposed road closure, contact Wellington City Council in writing before 4pm, 12 March 2016.

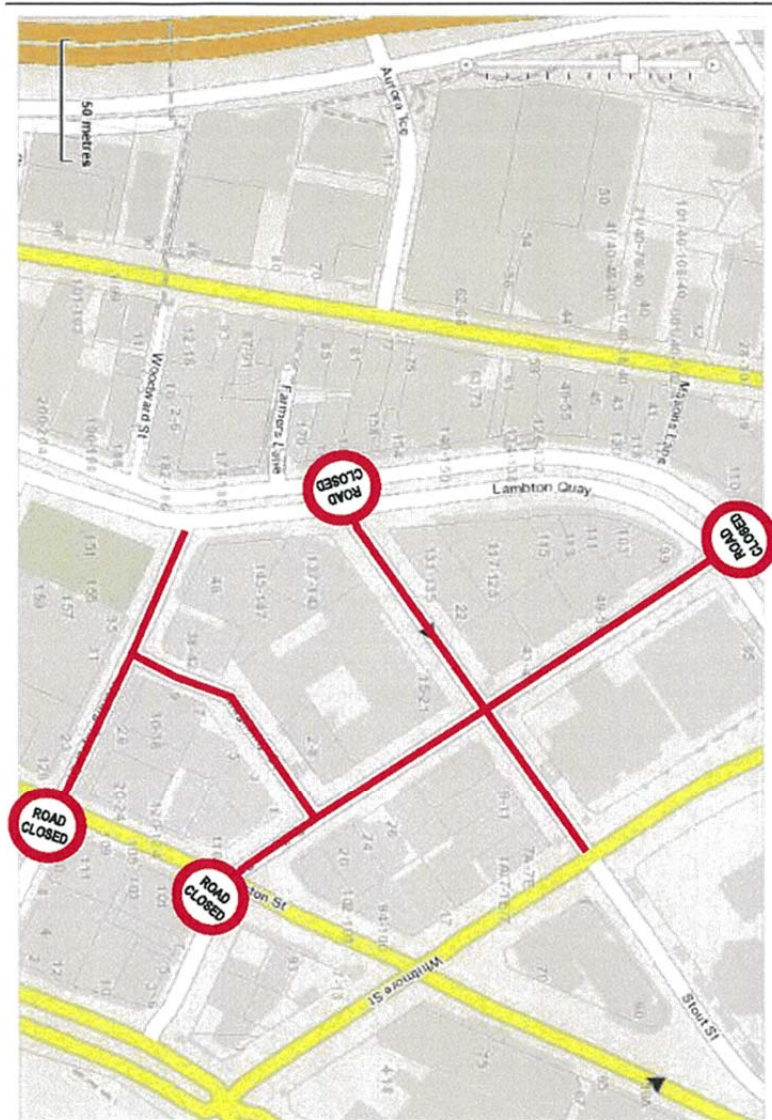
Please send correspondence to Maria Taumaa, at mailing address below, by fax 04 801 3009 or by email maria.taumaa@wcc.govt.nz

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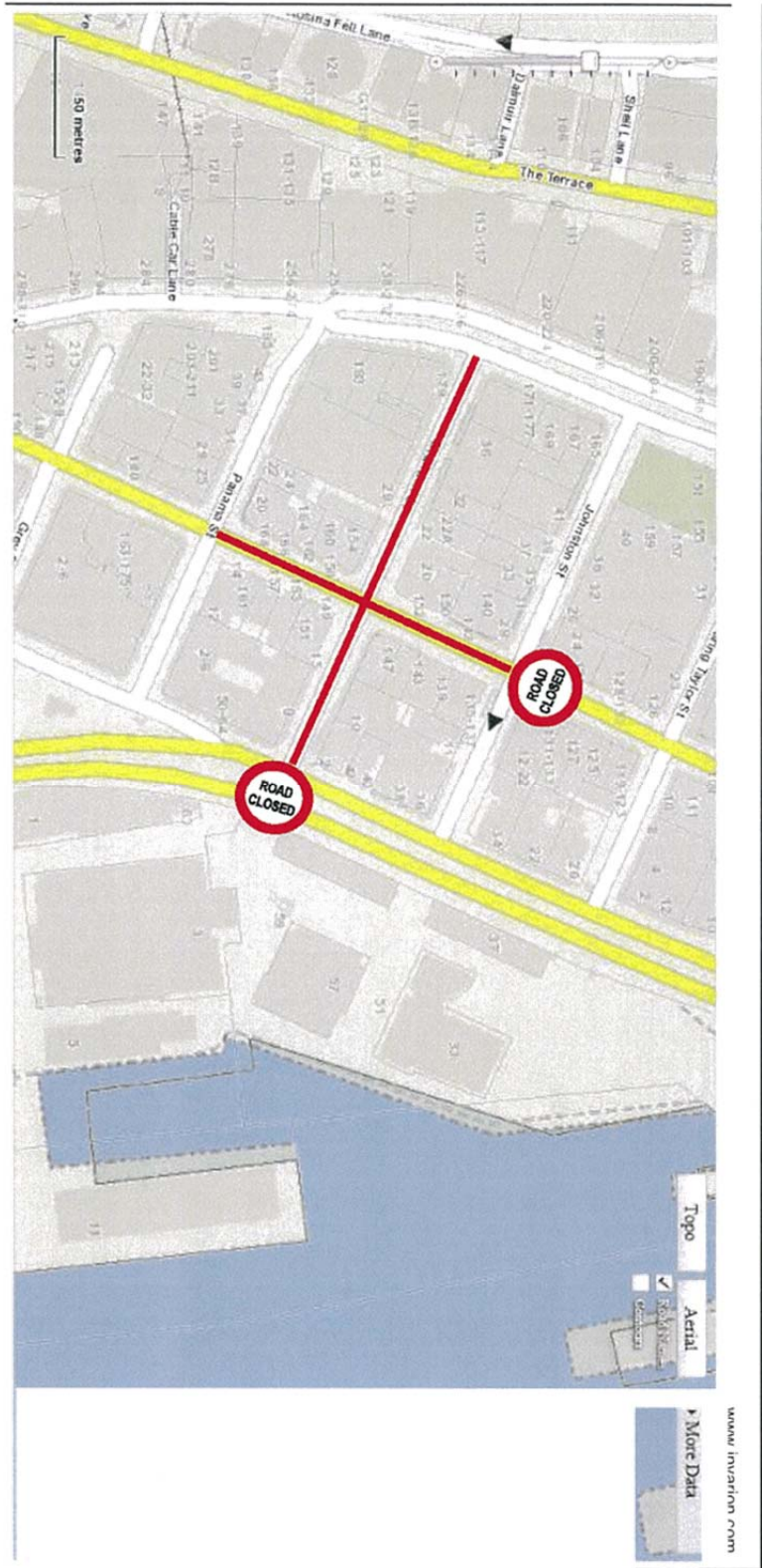


Local Feature Film Sunday 3 April 6:30am to 11:00am Stop Go 11 am to 7:00pm  
Willeston Street (between Victoria and Willis Street)  
Customhouse Quay (between Willis and Grey Street)  
Jervois Quay/Featherston Street closed from Grey Street to Hunter St  
Hunter Street (from Lambton Quay)



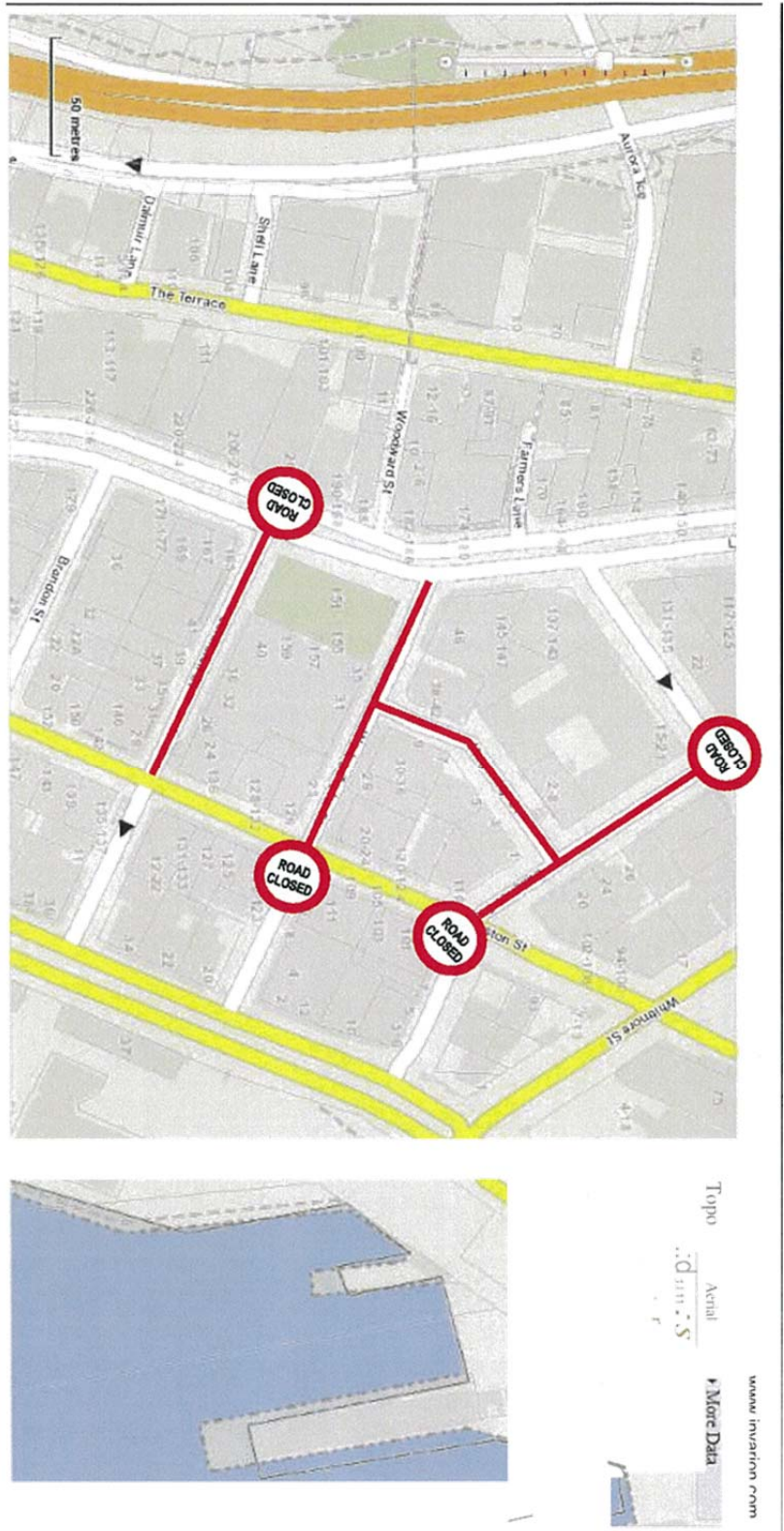
Item 2.1 Attachment 1

Local Feature Film Saturday 2 April 07:00 to 7:00pm  
Featherston Street and Brandon Street



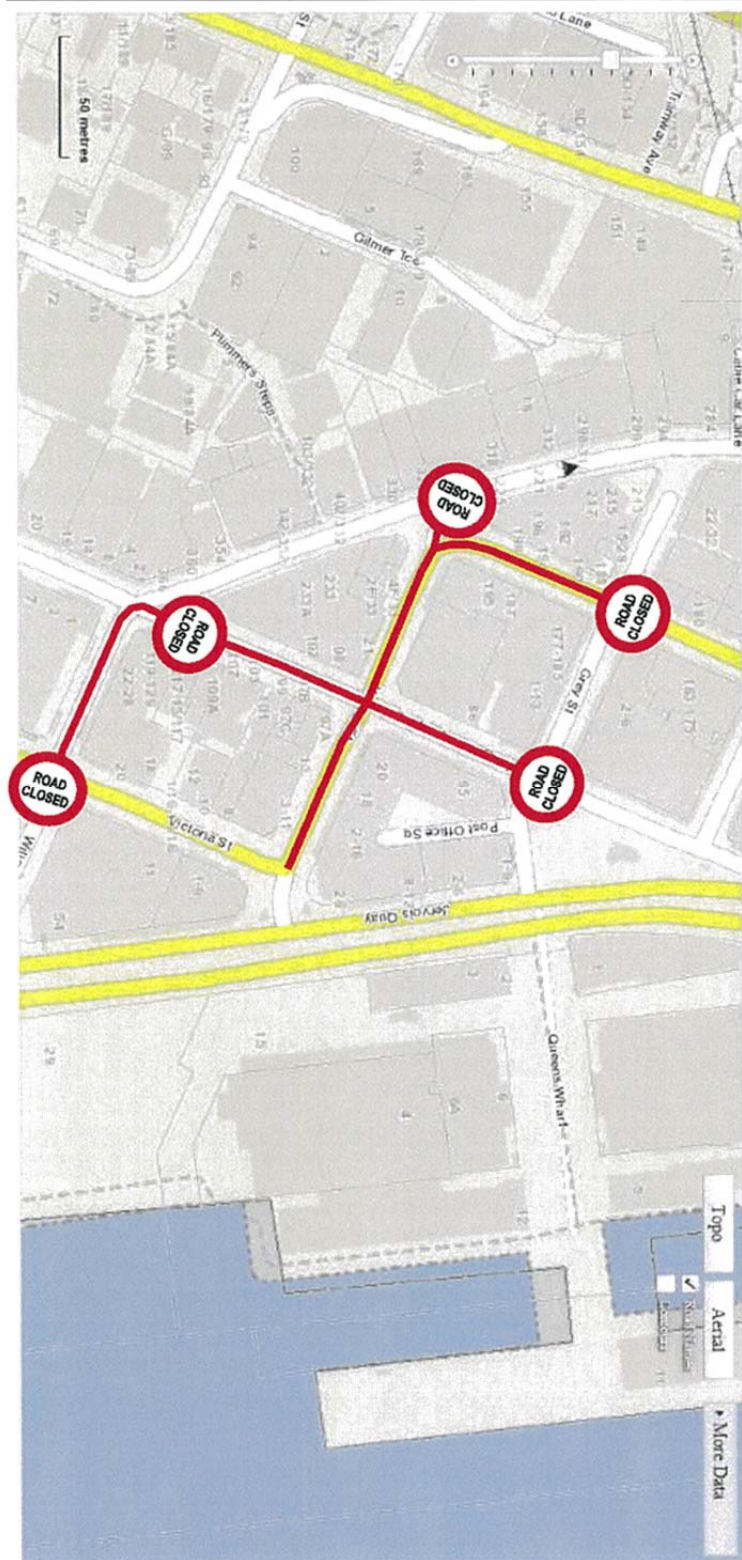


Local Feature Film  
 Balance Street Film  
 (between Stout and Featherston Streets)  
 Maginity Street  
 Waring Taylor Street (between Featherston St and Lambton Quay)  
 Johnston Street (between Lambton Quay and Featherston Street)



Item 2.1 Attachment 1

Local Feature Film  
Hunter Street ALL  
Featherston Street (between Grey St and Hunter St)  
Wilkeson Street (between Willis St and Grey St)



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## PROPOSED ROAD STOPPING - LAND ADJOINING 12 AND 14 HOHIRIA ROAD

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### Purpose

1. The purpose of the report is to recommend that the Council disposes of approximately 78m<sup>2</sup> of unformed legal road adjoining 12 and 14 Hohiria Road, Hataitai (refer Attachment 1).

### Summary

2. The owners of 12 and 14 Hohiria Road, Hataitai have applied to purchase part of the unformed legal road adjoining the frontage of their property.
3. The approximately 78m<sup>2</sup> of legal road to be stopped (the **Land**) is shown as Areas A and B bordered blue on the plan in Attachment 1.
4. Utility providers and the Council's internal business units have been consulted on the proposed road stopping. All support the proposal subject to standard conditions (where required).
5. Initial consultation letters have been sent to one adjacent and two adjoining neighbours of the Land. At the time of writing this report, no replies had been received.
6. If the Council agrees with the recommendation of the Regulatory Processes Committee, and proceeds with the road stopping, then the proposal will be publicly notified. Neighbours and any other member of the public will then have the opportunity to make a submission.

### Recommendations

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to the Council that it:
  - a. Agrees that approximately 78m<sup>2</sup> of unformed legal road land on Hohiria Road, Hataitai, shown as land bordered blue on Attachment 1 (the **Land**) and adjoining 12 and 14 Hohiria Road, Hataitai (being Lot 73 Block VIII DP 2529 CFR WN255/25 and Lot 72 DP 2529 CFR WN245/110) is not required for a public work and surplus to requirements.
  - b. Agrees to dispose of the Land.
  - c. Delegates to the Chief Executive Officer the power to conclude all matters in relation to the road stopping and disposal of the Land; including all legislative matters, issuing relevant public notices, declaring the road stopped, negotiating the terms of sale or exchange, impose any reasonable covenants, and anything else necessary.
3. Notes that if objections are received to the road stopping, and the applicant wishes to continue, a further report will be presented to the Regulatory Processes Committee for consideration.



## Background

7. The land at 12 and 14 Hohiria Road slopes gently from the road to the rear boundary and the dwellings are located towards the front boundary.
8. Approximately 75% of the Land (road to be stopped) is occupied under encroachment licences.
9. The Land has a slight south west cross fall and contains garaging, and lawn and mixed planting (refer to photo in Attachment 2).

## Discussion

10. Road stopping is provided for under Sections 319(1)(h) and 342(1)(a) of the Local Government Act 1974 (LGA).
11. The Council, under section 40 of the Public Works Act 1981 (PWA), 'shall endeavour' to dispose of any land not required for the public work for which it was taken, and which is not required for any other public work.
12. The Transport team has confirmed the Land is not required for road or access purposes. Other relevant Council business units have been consulted and none are seeking to retain the land.
13. A report into the Council's section 40 PWA obligations will, otherwise, determine whether an offer back obligation exists.

## Options

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

## Next Actions

15. Conclude a section 40 PWA investigation.
16. Prepare a survey legalisation plan and Sale and Purchase agreement for the Land.
17. Initiate the public notification process.

## Attachments

- Attachment 1. Proposed Road Stopping - 12 & 14 Hohiria Road Page 22  
Attachment 2. Photo - 12 and 14 Hohiria Road Page 23

Author	John Vriens, Senior Property Advisor
Authoriser	Greg Orchard, Chief Operating Officer

## SUPPORTING INFORMATION

### Consultation and Engagement

#### **Community**

On 1 February 2016 letters were sent to the two adjacent and two adjoining neighbours of the Hohiria Road Land. At time of writing no replies have been received.

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

The applicant is obliged to obtain comment from utility providers prior to submission of the application. None objected to the road stopping and/or have provided conditional support subject to the creation of relevant easements.

Several relevant Council business units were consulted: Parks, Sport & Recreation, Transport, District Plan Policy, Planning, Vehicle Access, Urban Design & Heritage, and Wellington Water.

None objected to the road stopping.

### Treaty of Waitangi considerations

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

### Financial implications

- There are no financial considerations related to this recommendation. Any costs associated with the disposal of the Land are borne by the applicant or subtracted from sale proceeds per the 2011 cost sharing initiative.
- 
- In August 2011 a new cost sharing incentive for road stoppings was approved by the Council. The rebate amount will be determined at the end of the road stopping process, when all of the costs are known.

### Policy and legislative implications

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

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

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

### Risks / legal

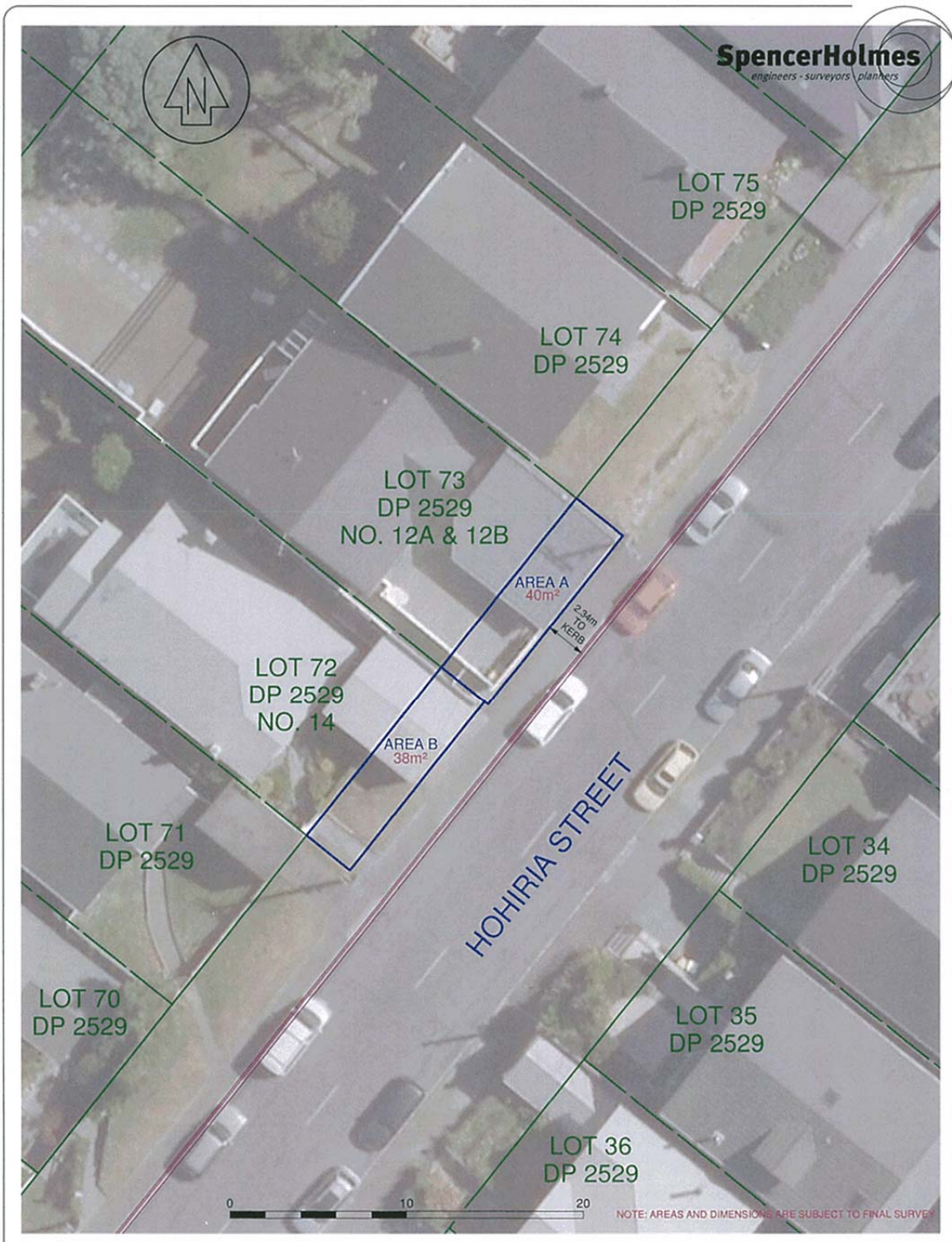
The road stopping process is consistent with legislative, and the Council's, requirements. Any legal agreement, or action in the Environment Court, will be overseen by the Council's lawyers.

### Climate Change impact and considerations

There are no climate change implications for this road stopping.

### Communications Plan

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



<p><b>Spencer Holmes Ltd</b>                  Level 6 - 8 Willis Street Ph (04) 472 2261                  PO Box 588 Fax (04) 471 2372                  Wellington NZ admin@spencerholmes.co.nz</p> <p><small>CAUTION - The information shown on this plan has been prepared under specific instruction from the client and is intended solely for the clients use. The information is valid as at the date of survey. Spencer Holmes Ltd will accept no liability for any consequence arising out of the use of this plan, or the information thereon whether in hard copy or electronic format, by any other party for any purpose whatsoever.</small></p>	<p><b>ROAD STOPPING APPLICATION PLAN</b>  <b>FOR NO. 12 &amp; NO. 14 HOHIRIA ST</b>  <b>HATAITAI</b>  <b>CKN PROPERTIES LTD</b></p>	<p>CAD FILE S15-0503-AP1A - S15-0503-AP1A                  DATE 15/07/15                  SCALE 1:200                  DRAWING NUMBER S15-0503-AP1                  REV A</p>
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Photo of 12 and 14 Hohiria Road garage and front yard encroachments.

