

ORDINARY MEETING

OF

REGULATORY PROCESSES COMMITTEE

AGENDA

Time: 01:00 pm
Date: Thursday, 23 June 2016
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

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 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.

AREA OF FOCUS

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

Quorum: 3 members

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The report was not available at the time the agenda went to print, and will be circulated separately.

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 28 April 2016 will be put to the Regulatory Processes Committee for confirmation.

The minutes of the meeting held on 16 June 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.

2. General Business

PROPOSED ROAD STOPPING - LAND ADJOINING 2 MILITARY ROAD AND 55 GARDEN ROAD, NORTHLAND

Purpose

1. The purpose of this report is to recommend that the Council stops approximately 50m² (subject to survey) of unformed legal road adjoining 2 Military Road and 55 Garden Road, Northland (shown in attachment 1).

Summary

2. The owner of 2 Military Road and 55 Garden Road, Northland, has applied to stop part of the unformed legal road (the Land) along the Orangi Kaupapa frontage of both properties.
3. The residential properties at 2 Military Road and 55 Garden Road are located at the intersection of Military / Orangi Kaupapa / Garden Roads. Attachment 1 shows the Land, outlined in red, situated at the corner of Military and Orangi Kaupapa Roads.
4. Utility providers, and the Council's internal business units, have been consulted. All support the proposal subject to standard conditions (where applicable).
5. Initial consultation letters have been sent to four adjacent neighbours of the road stopping. At the time of writing this report no replies have been received.
6. If the Council agrees with the recommendation of the Regulatory Processes Committee officers will commence public notification. Neighbours and any other member of the public will then have the opportunity to make a submission.

Recommendations

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to the Council that it:
 - a) Declares that approximately 50m² of unformed legal road land at the intersection of Military / Orangi Kaupapa / Garden Roads, Northland, shown outlined red on Attachment 1 (the Land), and adjoining 2 Military Road (being Lot 1 DP 310281 CFR 40460) and 55 Garden Road (Lot 2 DP 310281 CFR 40461) is not required for a public work and surplus to Council's 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 is subject to an encroachment licence. It rises upwards from the formed carriageway, containing grass and small shrubs/trees in front of both 2 Military Road and 55 Garden Road, and driveway to 2 Military Road, (Attachment 2).
8. Should the road stopping proposal be successful approximately 40m² of the Land would be amalgamated with 2 Military Road and 10m² with 55 Garden Road.
9. The applicant has indicated they have plans to further develop their property, increasing the area of both lots increases their options.

Discussion

10. Road Stopping is provided for under Sections 319(1)(h) and 342(1)(a) of the Local Government Act 1074 (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. Advisors from Council's Transport Team have confirmed the Land is not required for future road widening or public access purposes. They supported the proposal subject to retention of a minimum road area of two metres from the kerb face in front of the applicant's properties.
13. Relevant Council business units have been consulted with and none wish to retain the Land.
14. If Council approves the above, officers will establish whether any offerback obligations under section 40 of the Public Works Act 1981 exist.

Options

15. 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

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

Attachments

- Attachment 1. Aerial Page 11
Attachment 2. View of road land proposed to be stopped Page 12

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

SUPPORTING INFORMATION

Consultation and Engagement

Community

In March 2016 letters were sent to four adjacent neighbours of the land proposed to be stopped. At the time of writing this report no replies had been received.

Utility Provider and Council Business Units

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

Public Drainage/Building Consent & Licensing required:

1. That a 4m wide access to the existing stormwater culvert be retained by Council.
2. Extend an existing drainage easement over the legal road land proposed to be stopped.
3. A public stormwater drain is located within the area of the proposed road stopping, building over or near these drains would be subject to prior approval of the Public Drainage Engineer, Drainage team, Wellington Water.

Wellington Water advised:

There are three tobys supplying 2 Military Road and 55 Garden Road. It is a requirement that the proposed road stopping boundary is 500mm clear of them. The existing position of the three tobys relative to the proposed new legal boundary will be confirmed when the survey office plan is prepared.

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

Treaty of Waitangi considerations

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

Financial implications

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

In August 2011 a new cost sharing incentives for road stoppings were approved by Council. The rebate amount is determined at the end of the road stopping process when all of the costs are known.

Policy and legislative implications

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

This is not a significant decision. This report sets out the Council's options under the 2011

Road Encroachment and Sale Policy.

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

Risks / legal

The road stopping process is consistent with legislative, 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.



View of road land proposed to be stopped



ROAD CLOSURES

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 application from each of the following event organisers:

- a) **Gazley Volkswagen Wellington Marathon Sunday 26 June 2016 6.00am to 1.00pm**

Westpac Stadium lights south along Waterloo and Jervois Quays, Cable Street, Oriental parade, Evans Bay Parade, Cobham Drive, Shelly Bay and Massey Road, returning via the Wellington Waterfront.

- b) **Centenary of NZRSA Sunday 9 October 2016 1.00pm to 4.00pm**

Tory Street (Sages Lane/Francis Place South to Tasman Street

Tasman Street (Tory Street to Rugby Street)

Recommendations

That the Regulatory Processes Committee:

1. Receive the information.
2. Agree to close the following roads for the Gazley Volkswagen Wellington Marathon to vehicles and cyclists only, subject to the detailed closures and conditions listed in the Proposed Temporary Road Closure Impact Report from 6.00am to 1.00 pm on Sunday 26 June:

Westpac Stadium traffic lights south along Waterloo and Jervois Quays, Cable Street, Oriental Parade, Evans Bay Parade, Cobham Drive, Shelly Bay and Massey Road, returning via the Wellington Waterfront.

3. Agree to close the following roads for the Centenary of NZRSA to vehicles and cyclists only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Report from 1.00 pm to 4.00 pm on Sunday 9 October:

Tory Street (Sages Lane/Francis Place South to Tasman Street) and

Tasman Street (Tory Street to Rugby Street)

4. Note that any amendments to the recommendations in this report will require further consultation with affected parties and verification from the Council's traffic engineer.

Background

3. The council receives numerous requests throughout the year for public roads to be closed for events. These requests are processed and a detailed traffic impact report 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.

Discussion

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

Attachments

- Attachment 1. Gazley Marathon Page 16
Attachment 2. NZRSA Centenary Page 21

Author	Maria Taumaa, Street Activities Coordinator
Authoriser	David Chick, Chief City Planner

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 with.

Any correspondence received in response to the proposed closures from stakeholders or the Agencies has been included in the attached impact report.

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

The City Events Team has assessed the proposed events with regard to their contribution towards Councils 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 events and minimise the impact on traffic. If, in the opinion of the Council, the closure, may impede or does impede traffic unreasonably, then the 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

There are no risks or legal implications.

Climate Change impact and considerations

There are no impacts to climate change or any further considerations.

Communications Plan

Road Closures will be advertised in the Dominion Post and affected parties will be notified by the event organiser in the ways set out in the conditions included in the attached impact report.

REGULATORY PROCESSES COMMITTEE

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT

GAZLEY VOLKSWAGEN WELLINGTON MARATHON
SUNDAY 26 JUNE 2016

1. Description of Event

Established in 1986, the Wellington Marathon is one of New Zealand's leading running events. Organised by the Wellington Marathon Clinic. The event will cover the classic 42.2k full marathon, a 10k, a 5k and a kids magic mile with approximately 5000 runners and walkers taking on these challenges.

The proposed event will follow a scenic out-and-back route commencing from Westpac Stadium along Waterloo and Jervois Quays, Cable Street, Oriental Parade, Evans Bay Parade, Cobham Drive, Shelly Bay and Massey Road, returning via the Wellington Waterfront.

The following proposed road closures required on **Sunday 26 June 2016 from 6.00am to 1.00pm** are

- o Two seaward side traffic lanes from Westpac Stadium lights south along Waterloo Quay, Customhouse Quay Jervois Quay to Cable Street
- o One North side lane on Cable Street to Oriental Parade
- o The Seaward side traffic lane on Oriental Parade and Evans Bay Parade between Cable Street and Cobham Drive
- o Shelly Bay Road between Miramar Avenue and Scorching Bay.

These closures are required because sections of the course are narrow and have blind corners causing difficulties to safely manage traffic without closing the full sections of the road.

The event cannot be safely managed in its starting phase on narrow areas of Waterfront land therefore it is proposed to close the left-hand of Waterloo Quay (just south of the Stadium over bridge) including Customhouse and Jervois Quays, to link with Cable Street. To further assist the number of runners expected, the left-hand lane along the entire length of Cable Street will also be required to be closed. This operated well last year. These lane closures help accommodate runners until they reach Oriental Parade. The organisers are currently in consultation with both the Harbour side Market, Te Papa and Wellington Waterfront to manage suitable site access for market stallholders, market goers, businesses and public.

Aside from the road closures listed above, the Wellington Marathon Clinic proposes to operate a

One way traffic system along Oriental and Evens Bay Parades which has been operating successfully for the last four years. This will mean that the entire seaward traffic lane along Oriental and Evans Bay parades will be closed from Herd Street to Cobham Drive. General vehicular traffic will operate via a one way system along the landward side lane from the eastern suburbs to the city.

Event marshal's will provide access to residents along the route balanced against the safety of participants.

A full traffic management plan (to be approved by a qualified Council Officer) will be required for the entire event, including the single lane closures and associated parking restrictions. Additional traffic management will be in place (as per previous years) on Cobham Drive which will require approval from NZTA.

Public notification signs will be placed at strategic points along the course at least 10 days prior to the event to advertise the proposed one way system and closures. The event and proposed traffic management system is also to be advertised in the Wellingtonian in the week preceding the event.

The event is to be managed by qualified Traffic Management Company employing suitably qualified personnel. Emergency services will have immediate access to all areas if required.

2. Events Directorate Support

This annual sporting and community event is supported by the City Events Team.

3. Proposal Notice and Consultation

The public notice advising that the Council is proposing to consider this closure was published in the Dominion Post Saturday on 14 May 2016.

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

4. Objections

There have been NO objections to this closure request.

5. Traffic Impact Assessment

Prior Closures

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

Traffic Impact

In the opinion of Stephen Harte, Programme Manager Transport Network Development, acting as the Council's Traffic Engineer, the proposed closure, if implemented according to an approved traffic management plan, is not likely to impede traffic unreasonably subject to the conditions listed below. However, the Council reserves the right to modify this opinion at any time. If, in the opinion of the

Council, the closure may or does impede traffic unreasonably, any approval granted by the Regulatory Processes Committee may be revoked and the event organiser may be required to open the road at the direction of a suitably qualified Council officer in charge of traffic.

Conditions:

- The event organiser is to notify the public via newspaper advertisement, letter drop, advanced signage and media releases.
- The event organiser is to 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 ensure that all affected property and business owners along the proposed route are consulted with.
- The event organiser is to provide marshals at all road closure points to ensure that public safety (interaction of traffic and spectators) is not compromised. This is essential where road closures transition from partial to full closures and vice versa.
- The event organiser is to work with the public transport operators to provide alternative public transport routes and bus stops along the proposed partial and full closures.
- The event organiser is to provide adequate detour routes to provide access for affected residents and businesses during the event.
- The event organiser is to provide full details of the Traffic Management Plan to Council for approval no later than two (2) weeks prior to the event.

Signed


Stephen Harte
Programme Manager Transport Network Development

6. Attachments

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

Prepared By: 
Maria Taumaa
Street Activities Coordinator



Proposal to Close Roads

The Regulatory Processes Committee will meet on Thursday 23 June 2016 to consider the following temporary road closure.

Centenary of NZRSA

Sunday 9 October 2016: 1pm to 4pm

Tory Street (Sages Lane/Francis Place South)
Tasman Street (Tory Street to Rugby Street)

If you object to this proposed road closure, contact Wellington City Council in writing before 4pm, Friday 27 May 2016.

Gazley Volkswagen Wellington Marathon

Sunday 26 June 2016: 6am to 10am

Seaward lane closure, two lanes from Westpac Stadium traffic lights, south along Waterloo Quay, Customhouse Quay, Jervois Quay to Cable Street then Oriental Parade.

NB: This is for the outward section of all races using two of the three lanes until Jervois Quay, where it will gradually funnel down to one lane by Cable Street.

NB: Residents, business owners, Te Papa visitors and market-goers will have controlled access.

Sunday 26 June 2016: 6am to 1pm - Seaward lane closure

Waterloo Quay from Westpac Stadium traffic lights south along Waterloo Quay to intersection with Whitmore Street.

NB: This is for the outward section and return journey of all races.

NB: Residents and business owners will have controlled access.

Sunday 26 June 2016: 6am to 10am - Cable Street to Oriental Parade lane closure

NB: This will funnel down from two lanes at Jervois Quay, and is for the outward section of the route only.

NB: Residents, business owners, Te Papa visitors and market-goers will have controlled access.

Sunday 26 June 2016: 6am to 12pm - Road closure

Oriental Parade and Evans Bay Parade between Cable Street and Cobham Drive.

NB: Residents and business owners will have controlled access.

NB: Landward Lane for normal westbound traffic will be open by approximately 11am.

Sunday 26 June 2016: 7am to 11.30am - Road closure

Shelly Bay Road between Miramar Avenue and Scorching Bay.

NB: Residents and business owners will have controlled access.

NB: Road closure ends at north end of Scorching Bay so public access to cafe, playground and car parking are unaffected.

Marshals will help residents access Herd Street from 7.30am to 11.30am.

If you object to these proposed road closures contact Wellington City Council in writing before 4pm, Friday 27 May 2016.

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

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

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REGULATORY PROCESSES COMMITTEE

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PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT

CENTENARY OF NZRSA
SUNDAY 9 OCTOBER 2016

1. Description of Event

The New Zealand Returned Services Association will celebrate 100th centenary (1916 – 2016) on Sunday 9th October with a National ceremony at Pukeahu, the National War Memorial.

There will be a parade of veterans and current serving personnel, followed by a wreath laying ceremony.

The proposed road closures on **Sunday 9th October 2016 from 1.00pm to 4.00pm** are:

- **Tory Street (Sages Lane/Francis Place south to Tasman Street)**
- **Tasman Street (Tory Street to Rugby Street)**

The road closures are to be carried out under a temporary traffic management plan - the details of which will be approved prior to the event.

Road closure notification signs will be placed at each end of the assembly area at least one week prior to the event. Residents and local businesses will receive a letter drop advising them of the road closures and the parking restrictions. The closures are also to be advertised in the Wellingtonian in the week preceding the parade. The road closures and the street parade are to be traffic managed by a qualified traffic management company. Emergency services will have immediate access to the area if required.

2. Events Directorate Support

This event is supported by the Community Events Team.

3. Proposal Notice and Consultation

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

Dominion Post Saturday 14 May 2016.

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

4. Objections

There have been NO objections to this closure request.

5. Traffic Impact Assessment

Prior Closures

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

Traffic Impact

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

Conditions:

- The event organiser is to notify the public via newspaper advertisement, letter drop, advanced signage and media releases.
- The event organiser is to 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 ensure that all affected property and business owners along the proposed route are consulted with.
- The event organiser is to provide adequate detour routes to provide access for affected residents and businesses during the event.
- The event organiser is to provide full details of the Traffic Management Plan to Council for approval no later than two (2) weeks prior to the event.

Signed



Stephen Harte
Programme Manager Transport Network Development

6. Attachments

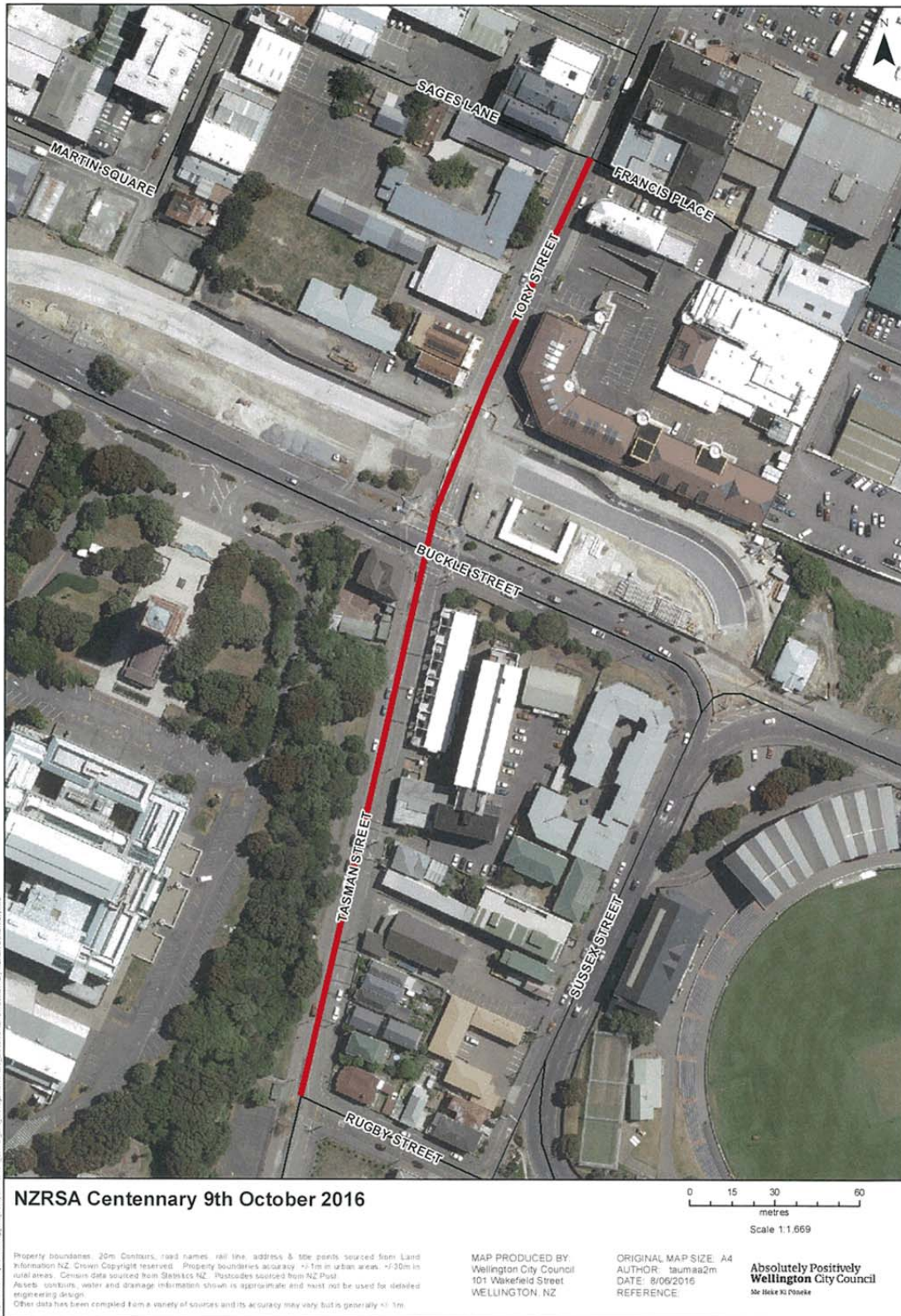
- Map of proposed closure
- Copy of proposal notice from the newspaper

Prepared By:
Maria Taumaa
Street Activities Co-ordinator



Supported by
City Events
David Daniela





Proposal to Close Roads

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Tory Street (Sages Lane/Francis Place South)
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Gazley Volkswagen Wellington Marathon

Sunday 26 June 2016: 6am to 10am
Seaward lane closure, two lanes from Westpac Stadium traffic lights, south along Waterloo Quay, Customhouse Quay, Jervois Quay to Cable Street then Oriental Parade.

NB: This is for the outward section of all races using two of the three lanes until Jervois Quay, where it will gradually funnel down to one lane by Cable Street.

NB: Residents, business owners, Te Papa visitors and market-goers will have controlled access.

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Waterloo Quay from Westpac Stadium traffic lights south along Waterloo Quay to intersection with Whitmore Street.

NB: This is for the outward section and return journey of all races.

NB: Residents and business owners will have controlled access.

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Oriental Parade and Evans Bay Parade between Cable Street and Cobham Drive.

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NB: Landward Lane for normal westbound traffic will be open by approximately 11am.

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Shelly Bay Road between Miramar Avenue and Scorching Bay.

NB: Residents and business owners will have controlled access.

NB: Road closure ends at north end of Scorching Bay so public access to cafe, playground and car parking are unaffected.

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