

ORDINARY MEETING

OF

REGULATORY PROCESSES COMMITTEE

AGENDA

Time: 9:30am
Date: Wednesday, 18 April 2018
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

MEMBERSHIP

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

Have your say!

You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 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 the Council's regulatory functions.

The committee will have responsibility for:

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

Quorum: 3 members

TABLE OF CONTENTS
18 APRIL 2018

Business	Page No.
1. Meeting Conduct	5
1.1 Apologies	5
1.2 Conflict of Interest Declarations	5
1.3 Confirmation of Minutes	5
1.4 Public Participation	5
1.5 Items not on the Agenda	5
2. General Business	7
2.1 Background to oral submissions - Proposed road stopping and disposal of legal road adjoining 400 Middleton Road, Glenside	7
2.2 Road Stopping and Exchange - Legal Road in Turnbull Street Street Adjoining 16-24 Turnbull Street (Thorndon School)	37
2.3 Proposed Road Closures for Anzac Day and Gazley Volkswagen Wellington Marathon	49
2.4 Approval of a Name for Waterfront Access Lane on Waterloo Quay	63
2.5 Approval of Names for New Roads in Crofton Downs	87
2.6 Two new proposed licences under Reserves Act 1977	97
3. Public Excluded	121
3.1 Updating Council's List of Independent Commissioners	121

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 14 March 2018 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

BACKGROUND TO ORAL SUBMISSIONS - PROPOSED ROAD STOPPING AND DISPOSAL OF LEGAL ROAD ADJOINING 400 MIDDLETON ROAD, GLENSIDE

Purpose

1. The purpose of this report is to provide the Committee with background information to oral submissions to be heard today on the proposal to stop and sell 1,695m² legal road land in Rowells Road, adjoining 400 Middleton Road, Glenside (the 'Land').

Summary

2. On 26 April 2017 Council declared the Land surplus subject to the road stopping process being successfully completed, and the outcome of public notification.
3. Public notification was undertaken during October and November 2017. Written objections were received from Heritage New Zealand (HNZ), Historic Places Wellington Society Inc (HPW), and Claire Bibby (as an individual).
4. HNZ withdrew their objection after officers confirmed that the Land would be amalgamated with 400 Middleton Road. HPW and Claire Bibby want their objection to remain. The next step in the road stopping process is to hear their oral submissions.
5. The applicant has also chosen to make an oral submission.
6. Two other residents would also like to make oral submissions in support of the road stopping proposal during the public participation section of the meeting.
7. No decisions are expected from the Committee on the day of the oral submissions. Following the oral hearing a final report will be prepared by officers, to enable the Committee (at its 23 May 2018 meeting) to make a decision on whether or not to uphold any objection.

Recommendation/s

That the Regulatory Processes Committee:

1. Receive the information.
2. Thank all oral submitters.
3. Advise submitters that it will consider the matter and make a decision on whether or not to uphold any objection, at the next available meeting of the Regulatory Processes Committee.

Background

8. The Regulatory Processes Committee meeting of 12 April 2017 and the Council meeting of 26 April 2017 agreed to proceed with the road stopping proposal. Refer to

Attachment 1 for the previous report that went to the Regulatory Process Committee and to **Attachment 2** for the minutes of the Council meeting that approved the road stopping.

9. Public notification on the proposed road stopping was undertaken during October and November 2017. Refer to the **Supporting Information** section for detail about this process.
10. By the close of the public notification period three written submissions objecting to the proposal had been received, these being from:
 - Claire Bibby (as an individual)
 - Felicity Wong on behalf Historic Places Wellington
 - Finbar Kiddle on behalf of Heritage New Zealand
11. Heritage New Zealand subsequently withdrew their submission after officers confirmed that if the road stopping proposal was successful the Land would be amalgamated with 400 Middleton Road.
12. The remaining two objectors do not want to withdraw, wanting to now make oral submissions in support of their objections.

Discussion

13. The objection grounds primarily relate to the access and protection of Nott House, being a District Plan listed heritage dwelling located on 400 Middleton Road. Also that the general area is suitable for a public heritage walkway to be created.
14. The objectors are concerned that the road stopping would negatively impact all three points. The written submissions and officers' responses to each ground for objection are listed in **Attachment 3**.
15. Officers met with the remaining objectors and the applicant on site on 16 March 2018. Discussion centred on the location of the applicant's gate, that being a key point throughout this matter. Refer officer's responses in **Attachment 3**. The objectors proposed instead of the road stopping that a gate be installed visible from the last suitable turnaround area in Rowells Road under encroachment licence. This was not accepted by the applicants given the road stopping process costs they have already incurred, and preference for security of ownership rather than a licence which can be terminated. How the encroachment proposal would have benefited Nott House compared to the road stopping was not clarified.

Next Actions

16. After officers briefed the Committee they requested a site visit to further familiarise themselves on the situation and location. At the time of preparing this report, this has been arranged for 11 April 2018.
17. After the Committee hears the oral submissions, officers will present a further report for the Committee's next available meeting.
18. The Committee will then consider the submissions and final report, in order to make a recommendation to Council on whether or not to uphold the objections.
19. If the Committee's decision is to uphold any objection and full Council agrees, then the road stopping proposal is effectively ended and the Land will not be stopped and sold.

20. If the decision reached is to not uphold (i.e., reject) the objections and to proceed with the road stopping process, and any objector wishes their objection to remain, and the applicant wishes to proceed, then the road stopping proposal and the objection(s) will be referred to the Environment Court for a decision.

Attachments

Attachment 1.	April 2017 Report to Regulatory Processes Committee ↓	Page 11
Attachment 2.	April 2017 Council Minutes ↓	Page 19
Attachment 3.	Submissions and officers responses ↓	Page 21

Author	Paul Davidson, Property Advisor
Authoriser	Steve Spence, Chief Advisor, Transport and Infrastructure David Chick, Chief City Planner

SUPPORTING INFORMATION

Engagement and Consultation

Public notification for the road stopping proposal was undertaken during October and November 2017.

- Letters were sent to owners and occupiers of properties situated immediately near the road stopping site, including KiwiRail, and the local residents association.
- Public notices were placed in the Dominion Post on 4 and 18 October 2017. Signage was placed on the Land, and at the Rowells Road / Middleton Road intersection.
- Information was also available from Council's website, the Central Library and Service Centre at 101 Wakefield Street.

Treaty of Waitangi considerations

No Iwi consultation specific to the road stopping proposal was undertaken. 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

Council does not maintain this short length of road; it is maintained by the resident. Council does have responsibility to administer and control its use for which there are minor costs.

Policy and legislative implications

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

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

Officers will keep all parties fully informed while submissions are being considered, and any Environment Court referral necessary.

Health and Safety Impact considered

If this road stopping proposal is successful the owners of 400 Middleton Road plan to install a gate at their new legal boundary in Rowells Road. This would prevent unauthorised access and current dangerous traffic manoeuvres.

REGULATORY PROCESSES COMMITTEE
12 APRIL 2017

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PROPOSED ROAD STOPPING - LAND ADJOINING 400
MIDDLETON ROAD, GLENSIDE

Purpose

1. To recommend that the Council stops and sells approximately 1,650m² (subject to survey) of unformed legal road adjoining 400 Middleton Road, Glenside (shown outlined in red in Attachment 1 (the Land)).

Summary

2. The owner of 400 Middleton Road, Glenside, has applied to purchase the Land.
3. The Land contains formed carriageway being located at the end of Rowells Road, which is a 'no exit' street.
4. Utility providers and relevant Council internal business units have been consulted. All support the proposal subject to standard conditions (where applicable).
5. Initial consultation letters have been sent to five adjacent neighbours of the road stopping, with none opposing the proposal.
6. If the Council approves officers' recommendation then public notification will commence. 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 1,650m² (subject to survey) of unformed legal road land in Rowells Road, Glenside, shown outlined red on Attachment 1 (the Land), and adjoining 400 Middleton Road (Part Section 29 – 30 Porirua District CFR WN526/164) is not required for a public work and is surplus to Council's requirements.
 - b) Agrees to stop the legal road and 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 basically 'L' shaped, being occupied by formed carriageway, vegetation and trees (Refer to Attachment 2 for views of the Land at street level).

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8. 400 Middleton Road is located at the end of Rowells Road, the only vehicle access to this property is from Rowells Road.
9. The applicants also own the neighbouring property at 110 Rowells Road. The Land could be amalgamated with either of the applicants properties, but unless it was amalgamated with 400 Middleton Road a right of way easement in favour of that property would be required.
10. The applicant is interested in purchasing the Land as currently often traffic goes to the end of Rowells Road, and then due to the topography and narrowness of the carriageway they cannot turn around. They then have to reverse back some distance including around corners to reach the section of the road where they can turn around.
11. The remote location also means that the area is often used for unsociable or illegal activities.
12. This section of Rowells Road is very close to railway lines and officers understand there have been near misses with motorists nearly been hit by trains.
13. Securing ownership of the Land increases the applicant's options to control the situation.

Discussion

14. Road Stopping is provided for under Sections 319(1)(h) and 342(1)(a) of the Local Government Act 1074 (LGA).
15. 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.
16. 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 retaining sufficient legal road to improve the turnaround area at what would become the end of Rowells Road. This has been allowed for in the proposal.
17. Relevant Council business units have been consulted with and none wish to retain the Land. Public Drainage/Wellington Water highlighted there is a public stormwater drain located in the vicinity of the proposed road stopping area, and that this should remain in road land. This has also been allowed for in the proposal.
18. As is normal practise in the early stages of the road stopping process officers have written to the owners of the five adjacent or nearby properties, including KiwiRail, notifying them that Council had received this road stopping application. At the time of writing this report only KiwiRail responded, having no issue with the proposal. These five owners will be consulted again when the formal public consultation is carried out later in the road stopping process.
19. If Council approves the above, officers will establish whether any offerback obligations under section 40 of the Public Works Act 1981 exist.

Options

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

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Next Actions

21. Conclude an investigation in accordance with s40 PWA.
22. Initiate the public notification process.
23. Prepare a survey plan and Sale and Purchase contract.

Attachments

Attachment 1. Aerial Page 20
Attachment 2. Views of the Land at street level Page 21

Author	Paul Davidson, Property Advisor
Authoriser	Tracy Morrah, Property Services Manager Peter Brennan, Manager Property David Chick, Chief City Planner

REGULATORY PROCESSES COMMITTEE
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In October 2016 letters were sent to the owners of five properties nearby or adjacent to the land proposed to be stopped. At the time of writing this report only one reply had been received with that party having no issue with the proposal.

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.

Wellington Electricity Lines Limited advised that there are overhead electricity lines in the vicinity of the road stopping area. The positioning of these lines and any power poles relative to the road stopping area and proposed new legal boundaries will be confirmed by survey and easement(s) registered on the title if necessary.

Several relevant Council business units were consulted in addition to Transport Planning: None objected to the road stopping.

City Planning and Design approved the proposal on the basis the stopped road land was amalgamated with either 400 Middleton Road, or 110 Rowells Road.

The District Plan team noted: 'the road stopping parcel will take on the zoning from either side, being Rural to the east and Open Space B to the west, with the zone boundary running down the centre of the former road. This is unlikely to be helpful or suitable for the future owner as the Open Space B zoning could have an effect on the future use of the amalgamated lot. It would therefore make sense for the rural zoning to apply to the whole 'road stopping parcel'; This could be covered by one of the plan changes we do from time to time to deal with minor zoning changes'.

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.

REGULATORY PROCESSES COMMITTEE
12 APRIL 2017

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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.

Health and Safety Impact considered

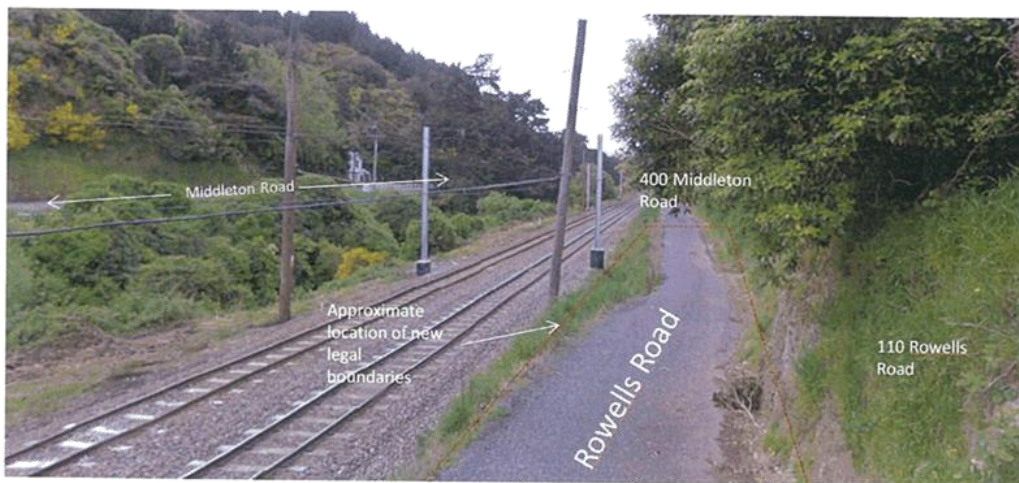
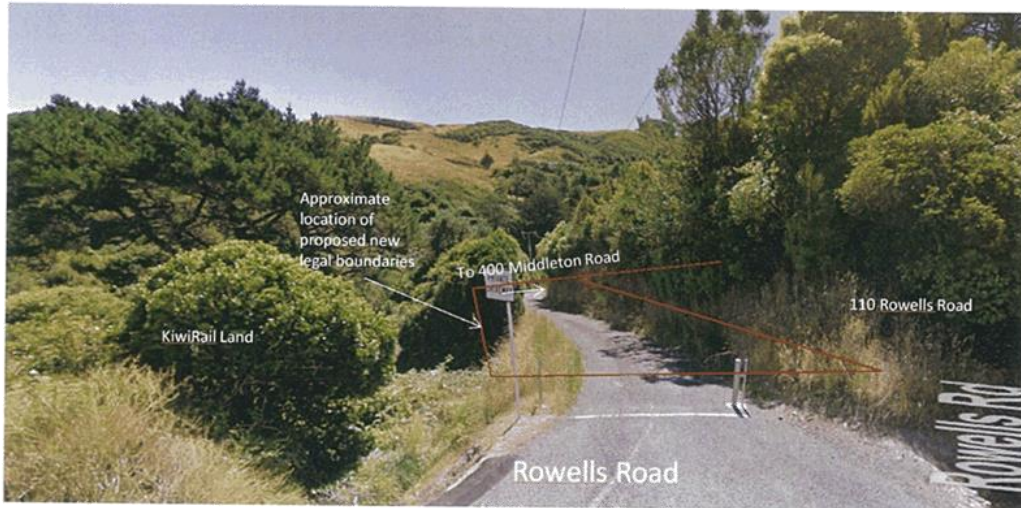
If this road stopping proposal is successful, the owners of 400 Middleton Road plan to install a gate at their new legal boundary in Rowells Road. This would prevent unauthorised access and current dangerous traffic manoeuvres.



Attachment 1



Attachment 2



COUNCIL
26 APRIL 2017

Absolutely Positively
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ORDINARY MEETING
OF
WELLINGTON CITY COUNCIL
MINUTES

Time: 9:30 am
Date: Wednesday, 26 April 2017
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

PRESENT

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Eagle
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

COUNCIL
26 APRIL 2017Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke**3.2 Report of the Regulatory Processes Committee Meeting of 12 April 2017****Proposed Road Stopping - Land Adjoining 400 Middleton Road, Glenside**

Moved Councillor Sparrow, seconded Councillor Dawson

Resolved

That the Council:

1. Agree to:
 - a. Declare that approximately 1,650m² (subject to survey) of unformed legal road land in Rowells Road, Glenside, (shown outlined in red on Attachment 1 of the Officer's report) (the Land), and adjoining 400 Middleton Road (Part Section 29 – 30 Porirua District CFR WN526/164) is not required for a public work and is surplus to Council's requirements.
 - b. Stop the legal road and dispose of the Land.
 - c. Delegate 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.

A division was called for, voting on which was as follows:

For:

Mayor Lester
 Councillor Calvert
 Councillor Calvi-Freeman
 Councillor Dawson
 Councillor Day
 Councillor Eagle
 Councillor Foster
 Councillor Free
 Councillor Gilberd
 Councillor Lee
 Councillor Marsh
 Councillor Pannett
 Councillor Sparrow
 Councillor Woolf
 Councillor Young

Against:

Majority Vote: 15:0

Carried

Objector – Claire Bibby – 1 Westchester Drive, Glenside	Council business unit response
<p>1. The road access has significant importance for access to the house and surrounding landscape, which has a Wellington City Council District Plan heritage designation listing.</p>	<p>Property Services If the road stopping proposal is successful the Rowells Road access to 400 Middleton Road will remain, albeit in an altered location.</p> <p>If the road stopping proposal is successful the applicants intend to relocate their gate to the new legal frontage, that being the last point in Rowells Road where cars are able to turn around.</p>
<p>2. The loss of the first legal access to 400 Middleton Road (a bridge across the stream from Middleton Road) resulted in this Rowells Road access.</p>	<p>Property Services As was noted in the submission from Heritage New Zealand the bridge access was demolished when the Tawa Rail Deviation came through the area in the late 1920s to mid 1930s, and alternative access was provided via Rowells Road.</p> <p>Heritage New Zealand subsequently withdrew their submission after officers confirmed if the road stopping proposal was successful the subject road land would be amalgamated with 400 Middleton Road.</p>
<p>3. The access is significant as second legal access (a footbridge) from Middleton Road was removed by railways c2009 at considerable upset to Mr Dorset. The footbridge provided a very useful access for a loop track for runners and walkers and enabled people a short-cut or quicker access to the house. Losing this third legal access is incomprehensible.</p>	<p>Property Services The footbridge was removed due to its poor condition, and the safety risk of access to a private property by crossing the railway line.</p> <p>Any historical public access over 400 Middleton Road would have been with the consent of the owner of the property at the time. There is no public right of way easement registered on the title.</p> <p>The road stopping proposal will not result in a loss of road access to 400 Middleton Road from Rowells Road.</p>
<p>4. The house is significant as an iconic and significant feature of our community and the relationship of the road to the community and to the house will be important to its future use. This is not the right time to stop the road or change its designation.</p>	<p>Heritage Team (Campbell Robinson) We acknowledge the comments regarding Nott House and its historic values. Protections of the structure itself under the District Plan remain unfettered by this proposal. Ultimately the road stopping in isolation does not prevent that from happening.</p> <p>We note that access to the existing structure is already compromised. We note that after the road stopping the property would continue to have a formed and legally viable access point to</p>

	<p>ensure access to the structure is maintained in some form. The landowner would be responsible for maintaining this accessway.</p> <p>Property Services The applicant recently advised that they are letting Nott House be used by an artist for a studio, and it is possible to access it in a 2WD vehicle.</p>
<p>5. Mr David Mitchell, Senior Spatial Planning Advisor, of Wellington City Council has recently indicated a structure plan planning process for future development on the western side of Middleton Road. This plan is likely to be extended to the eastern side of Middleton road. This road stopping proposal pre-empting an integrated Council and community planning approach for the area.</p>	<p>District Plan team (David Mitchell) The District Plan team is undertaking a structure plan process for the land referred to as Upper Stebbings Valley and Marshall Ridge. This land is to the west of Middleton Road. The land to the east of Middleton Road is still being investigated for inclusion in this process.</p> <p>The road stopping proposal adds a minor amount of land to the overall site of 400 Middleton Road and formalises the function of a public road acting as a private driveway. At this stage, it is considered this land would have a very limited impact on any future plans for the area.</p>
<p>6. People have approached me who are distressed about the deterioration of this historic house and associated landscape and the loss of road access. One family have copied me into their e-mails to Council about this, including their communication with the planning team and the Mayor, which is not reflected in the Council report.</p>	<p>Property Services The condition of Nott House is a separate matter to the proposed road stopping, which would not result in a loss of road access to 400 Middleton Road from Rowells Road.</p> <p>In October 2016 officers sent letters to all other property owners in Rowells Road advising a road stopping application had been lodged, and to expect to receive further correspondence when formal public notification was carried out.</p> <p>Prior to preparing the report for the Regulatory Processes Committee meeting of 12 April 2017, officers managing the road stopping application had not received any responses. Any enquiries received after 12 April 2017 related to the road stopping were referred to Property Services. Enquirers were advised that formal public notification had yet to be carried out.</p>
<p>7. Council planners/regulatory staff should be working toward achieving the intent of the District Plan. i.e. Encouraging the owner to put effort into protecting the house which is recognised by this Council as having significant heritage values including high visibility value,</p>	<p>Property Services The road stopping proposal is unrelated to Nott House's condition or heritage status. Council planners and Heritage team have already commented confirming that the legal access to 400 Middleton Road would not be compromised by the road stopping proposal.</p>

<p>instead of getting side-tracked into issues of security which cannot be resolved through a road stopping, and which will result in the Fire Service emergency access to the railway line and the house being further reduced, as the owners intention is to prevent vehicular access.</p>	<p>The applicant's owners could progress their plans to develop their 400 Middleton Road existing property without purchasing any adjoining road land. They applied to purchase the road land as the safety and security issues they currently deal with are significant enough to justify the road stopping process costs and time to complete that process.</p> <p>If the road stopping proposal is successful the applicant's intend to relocate their gate to the new legal frontage. The existing gate was installed after consultation with KiwiRail and Council following problems with vehicles illegally/informally driving onto 400 Middleton Road to turn around as the end of Rowells Road is narrow and it is difficult to reverse. Once on 400 Middleton Road vehicles had become stuck on or near the railway lines, or sometimes continued onto the private property for other illegal reasons, including damaging Nott House.</p> <p>In regards to emergency services other than the distance between the existing and proposed new gate positions which is approximately 85 metres, nothing else in regards to current access would change.</p>
<p>8. The road stopping is inherently wrong in that it could result in the house being landlocked and not able to be accessed from its own title.</p>	<p>Property Services If the road stopping proposal is successful it would not result in Nott House being landlocked.</p> <p>At present 400 Middleton Road has frontage to legal road 20m wide. If the road stopping proposal is successful frontage to legal road remains at that width, albeit in a different position.</p>
<p>9. The owner of the property has submitted a sub-division proposal before the Council, which retains the road access to the house, which makes this road stopping proposal at odds with the owners future intent for the land.</p>	<p>Property Services The road stopping proposal does not remove road access to 400 Middleton Road. The property owners subdivision plans are a separate matter for Council's regulatory team who have already commented.</p> <p>The applicants could progress their plans to develop 400 Middleton Road and 110 Rowells Road now without purchasing any adjoining road land. But by not stopping the subject road land that would be detrimental to traffic safety/lack of turning as previously stated.</p>
<p>10. If the current owner can't afford to or does</p>	<p>Property Services</p>

<p>not have the ability to restore the house themselves, then they need to be willing to make it available to a suitable party who has an interest in trying to do this, for example, by not stopping the road, and working with Council to sub-divide and sell the house and parcel of associated land with existing road access and heritage landscape values.</p>	<p>The road stopping proposal is unrelated to Nott House's condition or heritage status, the stopped road land would be amalgamated with and held on the same title as the house.</p>
<p>11. 400 Middleton Road is one of four heritage buildings listed on the District Plan in the Middleton Road corridor. However there are other historic properties and heritage sites in the corridor. I recently organised the Open Day for the official opening of the Halfway House at 246 Middleton Road at which 331 people recorded their attendance. People travelled from as far as Australia, Palmerston North and Masterton. They recorded the top reason for attending was because of a love of heritage and old houses and local history.</p>	<p>Property Services The road stopping proposal is unrelated to Nott House's condition or heritage status.</p>
<p>12. There is an economy around heritage sites and local history that Council has not tapped into, which 400 Middleton Road lends itself towards and is part of the future of the Glenside corridor. This is not the time to stop the road.</p>	<p>Property Services The road stopping proposal is unrelated to Nott House's condition or heritage status, and has no impact on access to Nott House.</p>
<p>13. There are opportunities for a public heritage walkway adjacent to railway, in which case stopping the road access would impact on this.</p> <p>My thinking is (and this is supported by some others in the community) that the old track beside the railway line between the historic Greer House aka Clarence Farm and the Nott House (aka Ivy Bank Farm) could be obtained for public access through a variety of means whether it be reserve contribution or other.</p> <p>I understand there is talk of moving the Nott house south and back into a better position, which means that there is the option of the frontage becoming part of the walking access. The owner will tell you there is no track however that is because she doesn't understand that it is overgrown with lack of maintenance and railways damaged it during an upgrade. I have</p>	<p>Heritage Team (Campbell Robinson) The proposal is not supported by any business case or any sort of analysis and therefore any comment from heritage is premature. A heritage walk in the Glenside area is not currently part of the heritage work programme.</p> <p>City Design-Network Improvement (Paul Barker) Currently there are no plans within to create a transport connection through the eastern side of the rail corrido along Middletown Road.</p> <p>Funding for walking connections would not receive transport agency subsidy. Local funding for walking connections is limited and focused on making small residential connections in our existing footpath network.</p> <p>There is considerable funding to develop a cycle network, and the connection between Tawa and</p>

<p>walked along it and shifted sheep on it. The track passes through a very historic site of Dr Curl's land (in fact, half the Nott House is Dr Curl's house which was dragged along the track so the two could be joined) and WWII Anti-tank trap remnants.</p> <p>The other consideration is that the owners of Greer House have the oldest flour mill in Wellington on their property and probably the only surviving one and they want to restore it, possibly move it to a better site on their land. I think there are a whole lot of opportunities here about public access and private access that are not being considered carefully, and should be, otherwise the applicant for the road stopping is going to prevent future opportunities. My reasoning, which David Mitchell is open to, is that the Eastern side of Middleton Road should also be a structure plan, so that the owners can have their sub-divisions without destroying the heritage sites.</p> <p>What I am suggesting, is that there could be a very sound heritage walk from the Halfway House, along Rowells Road, and the proposed public walkway, to Willowbank Reserve. There's masses of heritage in this narrow corridor. I've only touched on it.</p> <p>I think the best way to do this is a drive, from the Halfway House to the end of Rowells Road, then along Middleton Road, showing the proposed walk and the sites, and then onto Greer House property (I can ask the owners) to look at the exit option on the other side.</p> <p>This has significant potential for WCC and Northern Suburbs, and could be part of the Te Araroa trail offshoot, which has potential for Nott House as accommodation destination. This is much better investment of time and energy, instead of connecting the Ohariu/Best ridgeline which is never going to be built on anyway.</p>	<p>Johnsonville through this corridor has been identified as an area of severance that requires connecting.</p> <p>We have undertaken some high level scoping of widening the existing carriageway to better cater for bikes (and pedestrians) but before any serious investigation we would be expected to undertake a full business case approach which would include looking at all options in the corridor including any options that may be available on the eastern side of the rail corridor.</p> <p>From a preliminary look at the proposed road stopping I do not believe that this would compromise any future development of a walking and/or cycling transport connection in this corridor. If we were to provide any facility in the area we would require access over significant parts of private land and/or kiwirail land.</p> <p>District Plan team (David Mitchell) We are not currently in a position to state if the walk should exist, or if the idea was to progress, how this particular road stopping would impact it, other than to say it would decrease the amount of public land it would have to traverse on.</p> <p>Parks, Sport and Recreation (Joel de Boer) I have checked our Open Space Access Plan – Council's management plan for planning tracks and trails in our city's open spaces and reserves.</p> <p>We have a proposed track identified from Willowbank Park heading south between the railway tracks (NIMTL) and Willowbank Road and Middleton Road. This would be an extension of the Ara Tawa pathway. The Ara shared path network connects Porirua Railway station to Willowbank Park. The continuation of this would then link Porirua, Tawa and Glenside.</p> <p>In this area (Sector 1 - Spicer and Tawa west) we are also planning to connect Redwood Bush and Spicer Forest area through Stebbings Valley to strengthen the Outer Green Belt concept area and help re-route the Te Araroa Trail, that currently runs along Ohario Valley Road, over rural landscape opposed to the road.</p>
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	<p>Other proposed tracks in the area (on the other side of the NIMTL) including linking Granda North to Belmont Gully (eg Jamaica Drive to Mark Avenue).</p> <p>At this stage we have no plans to develop a track along the motorway side of the NIMTL north of Glenside. One of the main constraints would be acquiring access over private land.</p> <p>Property Services If the road stopping proposal is successful it does not impact on any future opportunities for Council to consider a public heritage walk being created. It would result in 400 Middleton Road's frontage to Rowells Road being in a different position which would enable the applicants to reposition their gate. This would alleviate public safety and security issues due to cars not currently being able to turn around at the end of Rowells Road as it is narrow, and it then being difficult to reverse.</p>
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Objector – Felicity Wong for Historic Places Wellington Inc Society	Council business unit response
1. Felicity Wong for Historic Places Wellington Inc Soc (HPW). 21 Hay St Oriental Bay Wellington 6011, Tel 0212410441, Submission on Proposed Road Stopping 400 Middleton Rd Glenside.	Property Services Noted
Historic Heritage Values	
2. Located at 400 Middleton Rd is an historic house known as “Nott House”. Built in 1860, it is one of the oldest surviving buildings in Wellington. Nott House is recognised by WCC as such and listed in the District Plan, together with its historic milk stand. Among the many listed buildings in Wellington only five are older than Nott House (among them, Nairn St Cottage which is only two years older than Nott House). Nott House was listed by Heritage New Zealand but is now subject to the “deficient registration” process.	Property Services The road stopping proposal is unrelated to Nott House’s condition or heritage status.
3. Furthermore Nott House is one of the few remaining old houses located on Middleton Road, which was formerly the old Porirua Road- the main thoroughfare between Wellington and Porirua. The area now known as Glenside used to be called ‘The Half Way’ because of its mid-point location between Wellington and Porirua. It got the name Glenside in 1928. It was an area of 100 acre rural sections in the original New Zealand Company survey of Wellington.	Property Services Refer response to Point 2.
4. William Nott and his family arrived in Wellington in 1842 and he bought this property in 1860. The Notts sold the farm in 1919 after two members of their family died during the 1918 influenza epidemic. David and Priscilla Rowell bought the farm, known as Ivy Bank farm. Access to the farm was across a bridge off the Porirua Road and the farm got its name from ivy growing over the bridge. When the Tawa Rail deviation came through the area in the late 1920s/mid 1930s the bridge access was demolished and alternative access provided via Rowell’s Road. The Rowell family sold the farm in 1947 to H E Dorset. Russell Murray, Wellington conservation architect, noted that a footbridge was constructed over the railway line to allow the Rowell family to carry their cans of cream and milk to a milk stand on the road.	Property Services Noted
5. The woolshed at the property was later used for a variety of purposes- including as New Zealand’s only Borafume (used in timber preservation) factory between 1959 and 1988. It has since been demolished.	Property Services Noted

<p>6. After Max Dorset's death in 2011, the property was purchased in 2013 by its current owners. They are Donna Sherlock and Tim Growcott, (or entities associated with them), who also own the neighbouring property at 110 Powells Road.</p>	<p>Property Services Noted</p>
<p>7. Nott House is a beloved heritage feature for commuters on the Waikanae/Tawa/Wellington railway line. Recently HPW partnered with Heritage NZ and WCC to organise a very successful "Wellington Heritage Week". Thousands of Visitors joined in successful activities , including visiting heritage properties, demonstrating the interest residents have in historic heritage.</p>	<p>Property Services Noted</p>
<p>8. HPW recommends that WCC Heritage staff be consulted about the heritage implications of the proposed road stoppage. Historic heritage values and impacts on them of the application must be fully considered.</p>	<p>Heritage Team (Campbell Robinson) We acknowledge the comments regarding Nott House and its historic values. Protections of the structure itself under the District Plan remain unfettered by this proposal. Ultimately the road stopping in isolation does not prevent that from happening.</p>
<p>Roading</p>	
<p>9. The original purpose of Rowells Road including the portion now proposed for stoppage was to provide access to Nott House, then owned by the Rowell family.</p>	<p>Property Services The road stopping proposal does not result in any loss of access to 400 Middleton Road from Rowells Road. Nott House is located on the land held on title CFR 526/164, i.e. 400 Middleton Road. This property will still have access to Rowells Road if the road stopping is successful.</p>
<p>10. HPW acknowledges that the remoteness of Nott House being at the very end of Rowells Road has contributed to it remaining in an "original state". HPW also acknowledges problems with the current public road end of Rowells Rd, including undesirable activities (including deaths), public risk from the unfenced railway line, and difficult security for the owners of vacant Nott House. HPW is aware of the unapproved security fence currently in place across the public road. Although this clearly helps with safety and security it is not currently authorised. HPW recognises the positive efforts made by the owner to protect access but does not support the Council "off-loading" it's responsibility to maintain appropriate and safe public access to Nott House.</p>	<p>Heritage Team (Campbell Robinson) We acknowledge the comments regarding Nott House and its historic values. Protections of the structure itself under the District Plan remain unfettered by this proposal. Ultimately the road stopping in isolation does not prevent that from happening.</p> <p>We note that access to the existing structure is already compromised. We note that after the road stopping the property would continue to have a formed and legally viable access point to ensure access to the structure is maintained in some form. The landowner would be responsible for maintaining this accessway.</p> <p>Property Services The section of Rowells Road proposed to be stopped provides access to only one property, i.e. 400 Middleton Road. As such Council's Transport Planning unit see no need to retain and maintain for public road what is effectively a</p>

	<p>driveway to one privately owned property.</p> <p>Any historical public access over 400 Middleton Road to reach Nott House would have been with the consent of the owner of the property at the time. There is no public right of way easement or interest registered on the title.</p> <p>The applicants have applied to purchase road land because the safety and security issues they deal with are significant enough to justify the road stopping process costs and time to complete the process. The applicants currently have a gate on their properties legal frontage to Rowells Road. If the road stopping proposal is successful they intend to relocate it to the new legal frontage, being the last part of Rowells Road where cars are able to practically turn around.</p> <p>It is assumed the 'unapproved security fence' reference means the existing gate installed on 400 Middleton Road's legal frontage to Rowells Road, and the start of its own private driveway. The applicants are within their rights to have a gate on their legal frontage. It was installed after consultation with KiwiRail and Council following problems with vehicles illegally/informally driving onto 400 Middleton Road to turn around, as the end of Rowells Road is narrow and it is difficult to reverse. Once on 400 Middleton Road vehicles had become stuck on or near the railway lines, or sometimes continued onto the private property for other illegal reasons, including damaging Nott House.</p> <p>In regards to public access there is no right of way easement or interest registered on 400 Middleton Road's title to provide for public access over that property.</p> <p>Council is not offloading any public responsibility through the road stopping process relating to access. The road stopping will provide improved traffic safety by improved turning ability and further discourage anti-social behaviour.</p>
<p>Demolition by Neglect Risk</p>	
<p>11. HPW supports the owner/s of Nott House (the Applicant) protecting and preserving Nott House. The current state however is of severe dilapidation.</p>	<p>Property Services Refer response to Point 2.</p>
<p>12. In 2013 the WCC approved funding of \$30,000 public funds for its structural stabilisation/repair. Despite time extensions the</p>	<p>Property Services Refer response to Point 2.</p>

<p>funding was not uplifted by the owners. HPW is not aware of any stabilisation or structural work having been done since it's purchase in 2013, despite security measures having been taken in its vicinity.</p>	
<p>13. There is an urgent need for stabilisation work on Nott House. Historic Places Wellington is very concerned about the precarious state of the structure. Nott House has a rich and colourful history but appears in some danger of collapse and accordingly, of demolition by neglect.</p>	<p>Property Services Refer response to Point 2.</p>
<p>Landlocked</p>	
<p>14. We believe it is critical to maintain public access to the Nott House property (400 Middleton Road) so as to retain options and flexibility for its preservation and restoration. The historic heritage values would be impacted by approval of road stoppage or development and must be considered. HPW advocates for the road to be maintained as a public road and for WCC, the owners and Tranzrail to jointly consult about resolving the long standing issues noted above in a formally approved way.</p>	<p>Property Services Public access to Nott House is not compromised by the proposed road stopping as there are no existing public access rights over the property now.</p>
<p>15. In the event however that the road stoppage is approved HPW advocates for the land to be amalgamated into the title of 400 Middleton Rd only. Nott House would otherwise become "landlocked" e.g. if the area of the proposed road stoppage was amalgamated into the title of 110 Rowells Rd, or otherwise disposed of. HPW is concerned that a legal easement may not in the event be created in favour of 400 Middleton Rd, given the joint ownership of the two neighbouring properties and the development and subdivision plans. Any such lack of direct access could make restoration less feasible.</p>	<p>Property Services The road stopping proposal would not result in Nott House being landlocked. Heritage New Zealand lodged a submission opposing the road stopping. They subsequently withdrew it after officers confirmed if the road stopping proposal was successful the subject road land would be amalgamated with 400 Middleton Road.</p>
<p>16. It should also be a condition of any road stoppage, or other development and subdivision that Nott House be stabilised, further deterioration prevented and the structure restored.</p>	<p>Property Services The road stopping proposal is unrelated to Nott House's condition or heritage status. Therefore it would be an inappropriate requirement to impose any condition relating to the house as part of the road stopping process.</p>
<p>17. Repair and restoration would provide a lasting solution to the risks of undesirable activity.</p>	<p>Property Services Refer response to Point 2.</p>
<p>Open Space Designation</p>	
<p>18. There is clear potential for development and subdivision of either or both the properties at 400 Middleton Rd and 110 Rowells Rd. HPW is generally aware of the current owners' interest in subdivision and development of their property.</p>	<p>Property Services The applicants intend to redevelop their 400 Middleton Road and 110 Rowells Road properties, and are currently going the subdivision application process. They could progress their developments plans without</p>

	<p>purchasing any adjoining road land. The applicants want to purchase road land to improve the safety and security issues they deal with by installing their gate closer to where cars can turn around in Rowells Road.</p>
<p>19. The area of road proposed for stoppage could potentially be used either as access for development and subdivision of 400 Middleton Rd or of 110 Rowells Road.</p>	<p>Property Services The proposal is that the area of road land proposed to be stopped will be amalgamated with 400 Middleton Road's title. It will not result in a loss of access to 400 Middleton Road from Rowells Road.</p> <p>The applicants could progress their plans to develop 400 Middleton Road and 110 Rowells Road without purchasing any adjoining road land. They have applied to purchase road land to improve the safety and security issues relating to car turning.</p> <p>Future development of either property including any proposed new access is not a consideration of the road stopping proposal, but appropriately considered in the building and resource consent processes.</p>
<p>20. HPW is concerned that the proposed road stoppage (and subsequent change to rural land designation) is likely to be the first step in an eventual development and subdivision process involving the area around Nott House.</p>	<p>Property Services Future development is not contingent on the proposed road stopping and will proceed regardless of it.</p>
<p>Landscape, Recreation, Biodiversity Values</p>	
<p>21. Road stoppage and the subsequent elimination of the current "open space" designation of half of that area, would affect landscape/recreation values and biodiversity values of the area. The open space designation of the areas adjoining Porirua Stream and the railway on Middleton Road, (including the proposed road stoppage area), is recognised in WCC reserves policy and planning documents as having important biodiversity and recreation value. We do not support the proposal by WCC that if the road is stopped a plan change be made to change the current designation from open space to rural land, particularly in light of the development interests of the current owners.</p>	<p>Property Services The subject road land is not currently zoned Open Space, as Road land does not have any zoning. When road land is stopped it takes on the zoning of the immediately adjoining land. In cases like the 400 Middleton Road road stopping proposal where there is different zoning on either side it could take on both zonings with a zone boundary running down the centre of the former road. As was stated in Council report dated 12 April 2017 the District Plan team advised that would it not be helpful or suitable to split the zoning as it could have an effect on the amalgamated lot.</p> <p>While there is Open Space B land to the west of the road land proposed to be stopped, it is designated railway corridor.</p>
<p>Process Concerns</p>	
<p>22. HPW is concerned that the proposed road stoppage (and subsequent change to rural land designation) is not taking account of its strong historic heritage values. This process is likely to</p>	<p>Property Services The road stopping proposal is unrelated to Nott House's condition or heritage status.</p>

<p>be the first step in the development and subdivision process involving the area around Nott House which is unlikely to involve opportunity for public consideration of those values.</p>	<p>The applicants could progress their plans to develop 400 Middleton Road and 110 Rowells Road without purchasing any adjoining road land. They have applied to purchase road land because the safety and security issues are significant enough to justify the road stopping process costs and time to achieve being able to install their gate closer to where cars can turn around in Rowells Road.</p>
<p>23. HPW is concerned about the process by which public "open space" can be disposed of and later become subject to development. The potential value for development or subdivision of the road stopped (a substantial area of 1695m²) could be much greater than the value at which the road stoppage land is disposed of under the current process.</p>	<p>Property Services Refer to response to Point 21.</p> <p>The value of the road land being stopped is assessed by an independent registered valuer. They take into account whether there is any betterment to the existing adjoining property from having the stopped road land amalgamated with it, including any future development or subdivision potential.</p>
<p>24. HPW believes any value transfer from public road to private rural land for subdivision should be recognised by Council obtaining the 'quid pro quo' of agreement of the Applicant to the timely stabilisation and restoration of Nott House.</p>	<p>Property Services Refer to comments from Council's Heritage team in the response to Point 10.</p> <p>The proposed road stopping is not related to the condition or heritage status of Nott House. Accordingly the proposal to impose a condition as part of the road stopping process that there be agreement with the applicant relating to the stabilisation and restoration of Nott House is not justifiable.</p> <p>Council's key decision when considering any road stopping proposal is whether the subject land is needed to be retained for its own future operational requirements. At present the subject road land is effectively the driveway to one privately owned property.</p>
<p>25. Accordingly HPW recommends that stabilisation and restoration of Nott House be secured as a condition of road stoppage and any future development.</p>	<p>Property Services For the same reasons as the response to Point 24 it would not be appropriate to impose any condition relating to the house as part of the road stopping process.</p> <p>Future development of the applicant's property is appropriately considered in the resource and building consent processes, not the road stopping process.</p>
<p>Holistic Consideration</p>	
<p>26. In conclusion HPW opposes road stoppage in order for a holistic view of the protection and preservation of the historic heritage, landscape, recreation and biodiversity values of Nott House at 400 Middleton Rd, and its approach road (currently in public ownership), to be taken.</p>	<p>Property Services Refer to response for Point 2.</p>

27. A wider conservation plan should be required from the Applicant in advance of any road stoppage approval. Otherwise a piecemeal approach is being taken with a failure to properly consider historic heritage values and preservation options.	Property Services Refer to response for Point 24.
28. Our primary concern is the protection and restoration of Nott House. We support any endeavours of the owners of Nott House (and 110 Rowells Rd) and any support Council can give them in that regard. We are concerned about the current situation of "benign neglect" of the structure itself.	Property Services Refer to response for Point 2.
29. Given the extremely high heritage value of Nott House, as the sixth oldest structure in Wellington, it's heritage preservation, and that of the associated buildings and public access way, must be of primary consideration.	Property Services Refer to response for Point 2.

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Objector – Finbar Kiddle for Heritage New Zealand	Council business unit response
1. Heritage New Zealand Pouhere Taonga ('Heritage New Zealand') is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead heritage agency.	Submission withdrawn
2. Thank you for the opportunity to comment on the proposed road stopping at 400 Middleton Road, Glenside. The property at 400 Middleton Road is home to Nott House. Nott House is currently proposed for entry on the New Zealand Heritage List / Rārangi Kōrero as a Category 2 Historic Place.	Submission withdrawn
3. Heritage New Zealand is neutral with regards to the proposal, but wishes to make apparent to the Wellington City Council the heritage value of Nott House, the potential adverse effects of the proposal, and potential solutions to these effects.	Submission withdrawn
4. Nott House is significant as one of the few remaining old houses located on Middleton Road, which was formally the Old Porirua Road – the main thoroughfare between Wellington and Porirua. William Nott and his family arrived in Wellington in 1842 and he bought his property in 1860. The Notts sold the farm in 1919 after two members of their family died during the 1918 influenza epidemic. The cottage is a two storeyed gabled cottage with a corrugated iron roof and a mix of timber weatherboards and vertical corrugated iron cladding. It has two dormer windows in the attic floor above the verandah and timber fretwork below the verandah. It remains a largely original example of a colonial house, with the main alterations being in the lean-to area at the back. It is one of the few old houses remaining in Glenside. Nott House has historical significance as a relatively rare survivor of a colonial farm cottage in the Wellington area. Attachment 1 contains more detail on the building's heritage value.	Submission withdrawn

<p>5. Heritage New Zealand acknowledges the benefits of the proposed road stopping, as the current road layout is sub-optimal in terms of turning space and adversely affects the usability of 400 Middleton Road. However, the proposal has the potential to adversely affect Nott House by cutting off access to a legal road, now or in the future. This would severely limit the usability of the house and could lead to deterioration.</p>	<p>Submission withdrawn</p>
<p>6. Heritage New Zealand supports the statement in paragraph 9 of the Regulatory Processes Committee Report that unless the land is amalgamated with 400 Middleton Road, a right of way easement in favour of 400 Middleton Road would be required. This would ensure access to Nott House if a future sale of the land resulted in the parcels being in different ownership.</p>	<p>Submission withdrawn</p>

ROAD STOPPING AND EXCHANGE - LEGAL ROAD IN TURNBULL STREET STREET ADJOINING 16-24 TURNBULL STREET (THORNDON SCHOOL)

Purpose

1. This paper asks the Committee to recommend that the Council:
 - a. Stops and sells approximately 141m² of Council-owned legal road adjoining Thorndon School at 16-24 Turnbull Street, Thorndon, Wellington (the Land); and
 - b. Acquires approximately 22m² of the applicants' land for the purposes of road (refer land exchange plan shown in **Attachment 1**).
 - c. This will facilitate the construction of a vehicle turning area at the (new) end of Turnbull Street at the cost of the applicant - Ministry of Education (MOE).

Summary

2. The Ministry of Education (MOE) owns Thorndon School at 16-24 Turnbull Street (also 19-23 Turnbull Street) and has applied to purchase 141m² of formed legal road adjoining their property at the end of Turnbull Street. The proposed road stopping area of 141m² is shown highlighted orange in **Attachment 1**.
3. In exchange for the above, Council will acquire 22m² of MOE land at 16 and 18 Turnbull Street (the Applicants' Land) highlighted orange in **Attachment 1**. MOE will pay for all relocation or termination of service utilities and the costs to construct the vehicle turning area and street end (shown in **Attachment 2**) and all transaction costs.
4. Utility providers, relevant Council business units and WREMO have been consulted. All support the proposal subject to standard utility conditions (where applicable).
5. Officers met with the two affected neighbours on the opposite side of Turnbull Street to discuss the proposal. Both support the turning area and land exchange proposal.
6. If the Council approves officers' recommendations then public notification will commence. At that time neighbours, and any other member of the public, will have an opportunity to make a submission.

Recommendations

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to Council that it:
 - a. Agrees that approximately 141m² (subject to survey) of formed road land in Turnbull Street, Thorndon, shown highlighted orange on **Attachment 1** (the Land), and adjoining 20-24 Turnbull Street, Thorndon (Lot 1 DP 5859; Lot 1 DP 5443 and Part Lot 1 Application Plan 648 CFR 782543) is not required for a public work and is surplus to Council requirements.
 - b. Agrees to dispose of the Land by sale and exchange for approximately 22m² of the owners adjoining land currently part of 16 and 18 Turnbull Street (Lot 1 DP 4659 and Lot 17 Deeds Plan 27 CFR 782543) shown highlighted orange in **Attachment 1** (the Applicant's Land).

- c. Agrees to acquire the Applicant's Land.
- d. Delegates to the Chief Executive Officer all powers necessary to conclude this transaction including all legislative matters, issuing relevant public notices, declaring the road stopped, negotiating the terms of sale and exchange, imposing any reasonable covenants, and anything else necessary.
- e. Notes that if objections are received to the road stopping and the applicant wishes to continue with the road stopping, a further report will be presented to the Committee for consideration.
- f. Notes that the land exchange will formalise the construction of a vehicle turning area (underway) in Turnbull Street, with all related costs to be met by the applicant (MOE).

Background

7. The Ministry of Education (MOE / the Applicant) owns 16-24 Turnbull Street, Thorndon and has applied to acquire an area of legal formed road at the end of Turnbull Street which is bordered on three sides by Thorndon School. This 141m² area is shown outlined orange in **Attachment 1** (the Land).
8. The Land is proposed to be amalgamated with 20-24 Turnbull Street legally described as Lot 1 DP 5859, Lot 1 DP 5443 and Part Lot 1 Application Plan 648 on CFR 782543.
9. In exchange for the Land, MOE has agreed to sell 22m² of its land to Council, being parts of 16 and 18 Turnbull Street (the Applicant's Land). This is for the purposes of creating a vehicle turning area (shown in **Attachment 2**) that is deemed to be an important facility to service this narrow street and adjacent properties.
10. MOE has arranged and will pay for the construction (underway) of the new vehicle turning area and reform the stopped road land to include a gate, paving, seating and planters in order to provide a safe transitional area from the main school buildings to the playing field on the west side of (now) Turnbull Street.

Discussion

11. Road Stopping is provided for under sections 319(1)(h) and 342(1)(a) of the Local Government Act 1974 (LGA).
12. 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.
13. Advisors from Council's Transport Team have confirmed the Land is not required for future road purposes, and support the proposal as the acquisition of the Applicant's land, as part of the land exchange, provides for a necessary vehicle turning area in the street.
14. As part of the road stopping, the applicant consulted with service authorities and officers with affected internal business units. All have granted consent with only standard conditions applying.
15. There are only two affected neighbours in the street (the Royal Society of NZ and a private individual) at 9-15 and 17 Turnbull Street. They have been consulted by way of onsite meetings with officers to fully discuss the land exchange and turning area proposal. Both neighbours support the land exchange in order to provide a vehicle

turning area in this narrow street. The Wellington Regional Emergency Management Office (WREMO) has also been consulted and supports the proposal.

16. If Council approves the above, officers will establish whether any offerback obligations under section 40 of the PWA exist, although exclusions are likely to apply.

Options

17. The alternative to undertaking the road stopping is to retain the Land as legal road. In the long term this will incur maintenance and retention costs on land that Council no longer requires.
18. There is no alternative to acquiring the Applicant's Land in order to create a vehicle turning area in Turnbull Street and the safety of school and street users would be reduced.

Next Actions

19. Conclude an investigation in accordance with section 40 PWA.
20. Initiate the public notification process.
21. Prepare a survey plan and conclude a land exchange agreement with MOE.
22. Construction of the vehicle turning area at the new end of Turnbull Street.

Attachments

Attachment 1.	Aerial of Land Exchange area in Turnbull Street ↓	Page 43
Attachment 2.	Views of vehicle turning area ↓	Page 45
Attachment 3.	Location Plan ↓	Page 47

Authors	John Vriens, Senior Property Advisor Charles Kingsford, Principal Traffic Engineer
Authoriser	Steve Spence, Chief Advisor, Transport and Infrastructure David Chick, Chief City Planner

SUPPORTING INFORMATION

Engagement and Consultation

Community

Initial consultation meetings have been undertaken with the only two other neighbours in Turnbull Street, and they have advised us they have no concerns and support the vehicle turning area proposal. Consultation on the proposed Parking changes was completed 30 March 2018 and is to be presented to City Strategy Committee on 19 April 2018 to the proposed parking changes required.

Utility Provider and Council Business Units

All relevant utility providers and Council business units have been consulted and none objected to the proposed road stopping. Those that have assets in the subject road land have provided their conditions of relocation or termination to the new street end.

Treaty of Waitangi considerations

Iwi groups have not been consulted. The subject road 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 as the applicant, MOE, is paying for all the costs of the new turning area construction, relocation of services (as required) in the road to be stopped and the road stopping / land exchange transaction costs (survey, legal, valuation and advertising, etc.).

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 and exchange 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 and exchange.

Communications Plan

Public consultation in accordance with the Schedule 10 of the LGA will be carried out later in the road stopping process.

Health and Safety Impact considered

There are no Health and Safety Impact considerations for this proposed road stopping and exchange except that the provision of a vehicle turning area in Turnbull Street will provide

improved traffic safety for all street users (both vehicle and pedestrian) and provide a safer environment for the predominant Thorndon Primary School users.

CAD File # 17141 - Thorndon School Turning Head (A-C) 17141 - Survey File.dwg
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THORNDON SCHOOL for Ministry Of Education
20 Turnbull St, Thorndon WELLINGTON

TH07 A Proposed Land Swap
Scale: 1:200 at A3 Printed 2/26/2018 Project No. 17141

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Phone 04 384 8100

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2 Tumbull Street - Perspective View Looking East

THORNDON SCHOOL for Ministry of Education

20 Tumbull St, Thorndon WELLINGTON

TH03 B Proposed Turning Head

Scale: 1:100 at A3 Printed: 3/8/2018 Project No: 1741

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Level 1, 171 Mease Street, T/A, Wellington 6111
Phone: 64 94 94 9422

Item 2.2 Attachment 3

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 CAD file: 0101_0101



1 Turnbull Street - Perspective View Looking South

THORNDON SCHOOL for Ministry Of Education

20 Turnbull St, Thorndon WELLINGTON

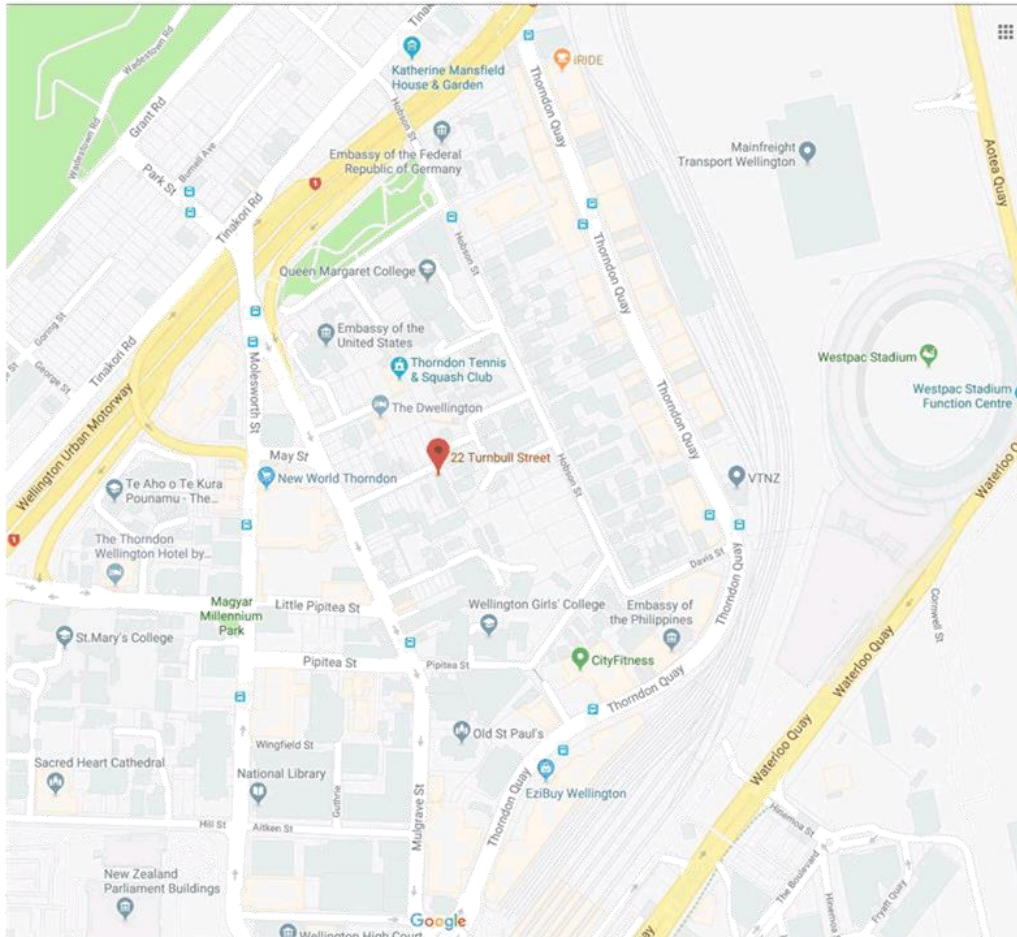
TH02 F Proposed Turning Head

Scale: 1:100 at A3 Printed 3/8/2018 Project No. 17141

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 HIGHAM**
 ARCHITECTS

Level 1, 171 New Street, Te Anau, Wellington 0811
 Phone: 04 384 8122

Location Plan



PROPOSED ROAD CLOSURES FOR ANZAC DAY AND GAZLEY VOLKSWAGEN WELLINGTON MARATHON

Purpose

1. This paper seeks approval for the temporary closure of roads associated with the following events:
 - a. **Anzac Day events at Pukeahu National War Memorial Park**, on Wednesday 25 April 2018
 - b. **Gazley Volkswagen Wellington Marathon**, on Sunday 1 July 2018.

Summary

2. The Wellington City Council has received an application from the event organisers for approval to hold the Anzac Day ceremony at Pukeahu National War Memorial Park on Wednesday 25 April, and the Gazley Volkswagen Wellington Marathon on Sunday 1 July 2018.
3. These events require the temporary closure of roads under Schedule 10, clause 11(e) of the Local Government Act 1974.

Recommendation/s

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 and sections of roads for the above events to vehicles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Report:
 - a. **Anzac Day at Pukeahu National War Memorial Park** (Attachment 1 refers), Wednesday, 25 April 2018, 12.01am to 1:00pm, consisting of:
 - **Tory Street** from Vivian Street to Memorial Park
 - **Tasman Street** from Memorial Park to Rugby Street
 - **Frederick Street** (No Through Traffic)
 - **Martin Square** (South to North)
 - b. **Gazley Volkswagen Wellington Marathon** (Attachment 2 refers), Sunday, 1 July 2018, 6:00am to 1:00pm, consisting of:
 - **Seaward Lane Closures (2 Lanes) 6:00am to 10:00am** from Westpac Stadium Traffic Lights, South along Waterloo Quay, Custom House Quay, Jervois Quay to Cable Street. (NB: This is for the outward section of all races using two of the three lanes on the Quays until Jervois Quay, where the lanes will gradually taper down to one lane at the entry to Cable Street.)
 - **Seaward Lane Closures (1 Lane) 10:00am to 1:00pm** from Westpac Stadium Traffic Lights, South along Waterloo Quay, Custom House Quay,

Jervois Quay to Cable Street. (NB: This is for the outward section and return Journey of all races. Residents and business owners will have controlled access.)

- **Lane Closure from 6:00am to 10:00am** from Cable Street to Oriental Parade (NB: This will taper down from two lanes on Jervois Quay to one lane at Cable Street and is for the outward section of the route only. Residents and business owners, Te Papa visitors and market goers will have controlled access. Marshals will help residents access Herd Street from 7:30am to 11:30am.)
- **Oriental Parade and Evans Bay 6:00am to 12:00pm** between Cable Street and Cobham Drive. (NB: Residents and business owners will have controlled access. A landward side lane for normal westbound traffic will be gradually opened from 11:00am as circumstances allow.)
- **Shelly Bay Road 7:00am to 11:30am** between Miramar Avenue and Scorching Bay (NB: Residents and business owners will have controlled access. Road closure ends North of Scorching Bay so public access to Café, playground and car parking are unaffected.)

Background

4. The Council receives numerous requests throughout the year for public roads to be closed for events. These requests are processed and detailed impact reports are prepared for each request. These impact reports are attached as **Attachments 1 and 2**. This report to the Committee has been prepared in accordance with the procedures that were approved by the equivalent 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 events supported by the Wellington City Council. This will ensure that the Wellington City Council is complying with the requirements of the Local Government Act 1974 for the temporary closure of roads within its jurisdiction.

Discussion

6. Road closure requests for a variety of events are brought to the committee for approval. All information supporting the proposed closures for these events is contained in the attached impact reports.

Attachments

Attachment 1.	Anzac Day Pukeahu Park ↓	Page 52
Attachment 2.	Gazley Volkswagen Marathon ↓	Page 56

Author	Maria Taumaa, Street Activities Coordinator
Authoriser	Stephen Harte, PM: Transport Network Developmt David Chick, Chief City Planner

SUPPORTING INFORMATION

Engagement and Consultation

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 invited 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 has been included in the attached impact reports.

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 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.

Risks / legal

Nil

Climate Change impact and considerations

N/A

Communications Plan

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

Health and Safety Impact considered

Health and safety is covered by the event management plan submitted to council for approval prior to the event. This is assessed together with the traffic management plan for the road closures.

REGULATORY PROCESSES COMMITTEE

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke**ATTACHMENT 1**

PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT

*ANZAC DAY PUKEAHU PARK
WEDNESDAY 25TH APRIL 2018***1. Description of Event**

The Wellington Returned and Services Association (Inc) and the Wellington Regional Economic Development Agency have requested the closure of the following roads, to vehicle traffic, to safely facilitate commemorations for ANZAC DAY 2018.

The proposed closures are as follows;

Dawn Service from 12.01am to 1.00pm

- Tory Street (Vivian Street to Memorial Park)
- Tasman Street (Memorial Park to Rugby Street)
- Frederick Street (No through traffic).
- Martin Square (south to North)

Parking restrictions will be in place.

ANZAC Day ceremonies have become popular events and draw attendance from a large cross-section of the community. The road closures are proposed to safely accommodate the increasing numbers of pedestrians attending these events.

Public Transport Operators have been consulted with and their requirements will be accommodated.

The event is to be traffic managed by a qualified Traffic Management Company. Pedestrian access will not be restricted and emergency services will have immediate access to the area if required.

2. City Events Support

This event is supported by the Wellington Regional Economic Development Agency.

3. Proposal Notice and Consultation

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

- Dominion Post Saturday 7 March 2018.

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

Conditions:

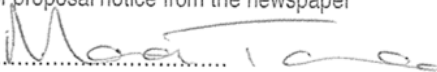
- The event organiser is to notify the public via newspaper advertisement, letter drop, advanced signage and media releases.
- The event organiser is to obtain Council approval on the details of a traffic management plan prior to the event.
- The event organiser is to ensure that the emergency services (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 the affected property owners and businesses along the road closure are consulted with.
- The event organiser is responsible for safety (pedestrian and traffic) within the closed area.
- The event organiser is to provide marshals at all road closures ends to ensure that public safety (interaction of traffic and spectators) is not compromised.

Signed 

Stephen Harte
Implementation Manager, Network Improvements

Attachments

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

Prepared By: 
Maria Taumaa
Street Activities Coordinator

on (uo) 300 000 1.
WE-7991390AA

Proposal to Close Roads

The Regulatory Processes Committee will meet on Wednesday 18th April 2018 to consider the following temporary road closures for events.

**Anzac Day Pukeahu Park
Wednesday 25 April 2018**


Road Closed From 12.01am to 1.00pm

- Tory Street (Vivian Street to Memorial Park)
- Tasman Street (Memorial Park to Rugby St)
- Frederick Street (No Through Traffic)
- Martin Square (South to North)

Any person objecting to a proposed road closure must Contact the City Council in writing before 4pm, Friday 9 March 2018. Please send correspondence to Maria Taumaa at mailing address below, by fax 801 3009 or by email maria.taumaa@wcc.govt.nz

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

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REGULATORY PROCESSES COMMITTEE

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke**ATTACHMENT 2**

PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT

*GAZLEY VOLKSWAGEN WELLINGTON MARATHON
SUNDAY 1 JULY 2018***1. Description of Event**

Established in 1986, the Wellington Marathon is one of New Zealand's leading running events. It is organised by the Wellington Marathon Clinic. The event involves the classic 42.2k full marathon; 21.1k half marathon; 10k; a 5k; and a kids magic mile with approximately 5000 runners and walkers taking on these challenges. This is the 33rd year of the event, with race day scheduled for Sunday 1 July 2018.

Since 2003, when the event shifted to Westpac Stadium venue and current route, the Wellington Marathon has seen greater than 400 percent growth attracting approx. 5000 participants this year. It is now a member of New Zealand's "Big Five" marathon events, alongside the Auckland, Queenstown, Rotorua and Christchurch marathons. The event attracts more than 2000 visitors every year, and is the Wellington region's major winter event.

In 2018 the event will follow the same route and be managed in the same way as the last four years.

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.

A full Traffic Management Plan will be required as part of the events approval. A qualified traffic management provider will prepare the traffic management plan and manage the controls on race day. Additional marshals will be used to further ease any impact on the public. Herd Street, being a private access, will be managed separate to the rest of the course. Public awareness of the event will be raised earlier this year by 1) earlier delivery of letters to residents and businesses, 2) improved utilisation of WCC website and social media avenues.

As for previous years the event has the support of Westpac Stadium, Wellington City Council Events office and the Oriental Bay Residents' Association. We continue to work with all stakeholders to reduce any inconvenience. In the past four years increased resource around course management, traffic management and public notices has seen the event minimise any disruption to the public. The course will only be closed for a few hours, and will re-open by 1.00pm.

The following proposed road closures are required on Sunday 1 July 2018 from 6.00am to 1.00pm are:

- Two seaward side traffic lanes from Westpac Stadium traffic lights south along Waterloo Quay, Customhouse Quay Jervois Quay to Cable Street
- One North side lane on Cable Street to Oriental Parade

- The Seaward side traffic lane on Oriental Parade and Evans Bay Parade between Cable Street and Cobham Drive
- Shelly Bay Road between Miramar Avenue and Scorching Bay.

The event cannot be safely managed in its starting phase on narrow areas of Waterfront land therefore it is proposed to close the two left-hand lanes of Waterloo Quay (just south of the Stadium over bridge) together with 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.

The full length of Shelly Bay Road between Miramar Avenue and Scorching Bay needs to be closed because sections of this road are narrow and has blind corners making it difficult to safely manage traffic without closing it. This has been necessary in past years and worked well.

Aside from the road closures listed above, the Wellington Marathon Clinic proposes to operate a one way traffic system along Oriental and Evans Bay parades which has operated 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 during the road closures 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 event, including the single lane closures and associated parking restrictions. Additional traffic management will be in place (as for 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 will also be advertised in local newspapers 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 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 on Saturday 31 March 2018.

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

4. Objections

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 Wednesday 18 April 2018 to consider the following temporary road closures for events.

Gazley Volkswagen Wellington Marathon Sunday 1st July 2018

Seaward Lane Closure 2 Lanes 6.00am to 10.00am from Westpac Stadium Traffic Lights, south along Waterloo Quay, Custom House Quay, Jervois Quay to Cable Street.

Seaward Lane Closure 1 Lane 10.00am to 1.00pm from Westpac Stadium Traffic Lights, south along Waterloo Quay, Custom House Quay, Jervois Quay to Cable Street.

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 at Cable Street.

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

Seaward Lane Closure 6.00am to 1.00pm

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.

Cable Street to Oriental Parade 6.00am to 10.00am Lane closure only

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

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

Oriental Parade and Evans Bay 6.00am to 12.00pm 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 11.00am.

Shelly Bay Road between Miramar Avenue and Scorching Bay 7.00am to 11.30am

NB: Residents and business owners will have controlled access.

NB: Road closure ends North of Scorching Bay so public access to Café, playground and car parking are unaffected. Marshals will help residents access Herd Street from 7.30am to 11.30am.

Any person objecting to a proposed road closure must contact the City Council in writing before 4pm, Friday 13 April 2018. Please send correspondence to Maria Taumaa at mailing address below, by fax 801 3009 or by email maria.taumaa@wcc.govt.nz

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

Absolutely Positively
Wellington City Council
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Dominion Post - Saturday, March 31, 2018



APPROVAL OF A NAME FOR WATERFRONT ACCESS LANE ON WATERLOO QUAY

Purpose

1. The purpose of this report is to seek approval of the name for a waterfront access lane adjacent to Waterloo Quay, shown on F Plan 3095 (**Attachment 1** refers).

Summary

2. This is a proposal to name a waterfront access lane adjacent to Waterloo Quay.

Recommendations

That the Regulatory Processes Committee:

1. Receive the information.
2. Agree to give approval for the name *Lady Elizabeth Lane* to be allocated to the access lane adjacent to Waterloo Quay, shown on F Plan 3095.

Background

3. Ongoing development of the waterfront means that existing and new properties located on the wharves need to be assigned unique addresses so that visitors and emergency services can locate them.
4. According to plans for the building currently under construction at 10 Waterloo Quay, to be known as the PwC Centre, tenancies in the building that front onto the waterfront will be accessed from the lane through the area known as the Kumutoto precinct.

Discussion

5. The waterfront access lane stretching between Waterloo and Customhouse Quays, shown on F Plan 3095, has been colloquially known as *Kumutoto Lane*. Although the access lane will be mostly used by pedestrians, vehicular traffic along the lane will be two-way, with access to the lane being via the Bunny Street entry/exit immediately north of the Waterloo Quay apartments and Whitmore Street gates.
6. According to iwi, “Kumutoto was further inland, from The Terrace to [the] original foreshore (Woodward St area)” (**Attachment 2** refers). Furthermore, there is already a Kumutoto Lane running adjacent to The Terrace and accessed from Boulcott Street. Iwi have suggested either *Waititi* or *Taimoana* for the lane.
7. Iwi have advised that: *Waititi* means “probably shining water relating to the glistening of sand on the beach where streams seep out; this was probably Pipitea Beach” and that “it is the name used for the area known as Waititi landing – the triangle reserve by Parliament” (**Attachment 2** refers). *Taimoana* means “harbour-side...it is a te reo name, not a wahi tūpuna name, and tribally neutral”.
8. Dave Houston, the Officer in Charge of the Wellington Police Maritime Unit, has suggested the name *Lady Elizabeth Lane*. The unit, otherwise known as the Wharf Police, has been operating from the area adjacent to the access lane for the “last 100 years”. It is currently housed “in the Old Ferry Building with the police launch, Lady

Elizabeth IV, alongside the Service Jetty, which is adjacent [to] the Lane” (**Attachment 3** refers). The name has a long and significant association to the area; this is normally a reason for selecting a name.

9. Other names suggested by those consulted (**Attachment 4** refers) and subsequently considered by the Council’s Technical Advisory Group, Michael Faherty of City Shaper, and Council officers were (in no particular order):
 - a. Taonga Lane;
 - b. The People’s Way / Tangata Ara;
 - c. Kanohi Lane;
 - d. Reclamation;
 - e. Glasgow, Kings, Wool or Railway; and
 - f. Lion Foundry.
10. The Council Road Naming Procedures (August 2002) suggest ways to make decisions when more than one name is a strong contender (**Attachment 5** refers). Whilst not covering every scenario, the procedures provide weightings that can be applied in instances such as that presented here. Application of the weighting index gives the name *Lady Elizabeth Lane* a score of ‘2’. This score would be higher if the name is also regarded as being culturally significant. The name *Taimoana Lane* is supported by iwi, giving it a ‘3’, largely due to recognition of its cultural significance despite this name not being historically associated with this site.
11. Nicky Karu of the Council’s Tira Poutama Iwi Partnerships team has advised that she feels iwi would accept the name *Lady Elizabeth Lane* in recognition of the strength of the argument for this name.
12. Officers acknowledge that both names - *Taimoana Lane* and *Lady Elizabeth Lane* - have merit. After considering the weighting criterion and score given to each name, along with the supporting information for each name, the name *Lady Elizabeth Lane* is preferred by officers. Nevertheless, officers feel that Taimoana Lane would be an excellent name for a lane on the waterfront and will, therefore, investigate this option.

Recommended Name

13. Council officers recommend the name *Lady Elizabeth Lane* be approved for the access lane shown on F Plan 3095. Officers feel this name is the most appropriate based on feedback given by those consulted and the Council Road Naming Procedures.

Attachments

Attachment 1.	F P LAn 3095 ↓	Page 67
Attachment 2.	Iwi Feedback ↓	Page 68
Attachment 3.	Maritime Police Feedback ↓	Page 72
Attachment 4.	Other Feedback ↓	Page 77
Attachment 5.	Extract, Council Road Naming Procedure ↓	Page 83

Authors	Carline Thomas, Advisor, Land, Customer and Property Information Michael Brownie, Team Leader Land, Customer and Property Information
Authoriser	Alison McGray, Team Leader City Records David Chick, Chief City Planner

SUPPORTING INFORMATION

Engagement and Consultation

Consultation on this proposal has taken place with affected businesses, such as the New Zealand Portrait Gallery, located in Shed 11. Other interested parties, including Willis Bond & Co, the developer, Dave Houston of the Wellington Police Maritime Unit, Michael Faherty, Project Director, Waterfront, City Shaper, the TAG (Technical Advisory Group), and Amanda Mulligan of the Council's Heritage Team, City Planning, have been consulted.

Proposed names were further considered by the TAG group, iwi, and Michael Faherty of City Shaper to come up with the final two names presented here.

Both names have been checked for duplication, similarity and suitability by the Wellington Regional Council.

Treaty of Waitangi considerations

Consultation with iwi has taken place. Nicky Karu of the Council's Tira Poutama Iwi Partnerships team initially advised that their preferred name is *Taimoana Lane*, as it is a "te reo name, not a wāhi tūpuna name, and tribally neutral" (**Attachment 2** refers). Considering the weight of evidence provided by the Wellington Police Maritime Unit in support of the name *Lady Elizabeth Lane*, however, she feels that in this case iwi would endorse the latter.

Financial implications

Not applicable.

Policy and legislative implications

Allocation of street names is a statutory function under Section 319A of the Local Government Act 1974.

Risks / legal

Nil.

Climate Change impact and considerations

Nil.

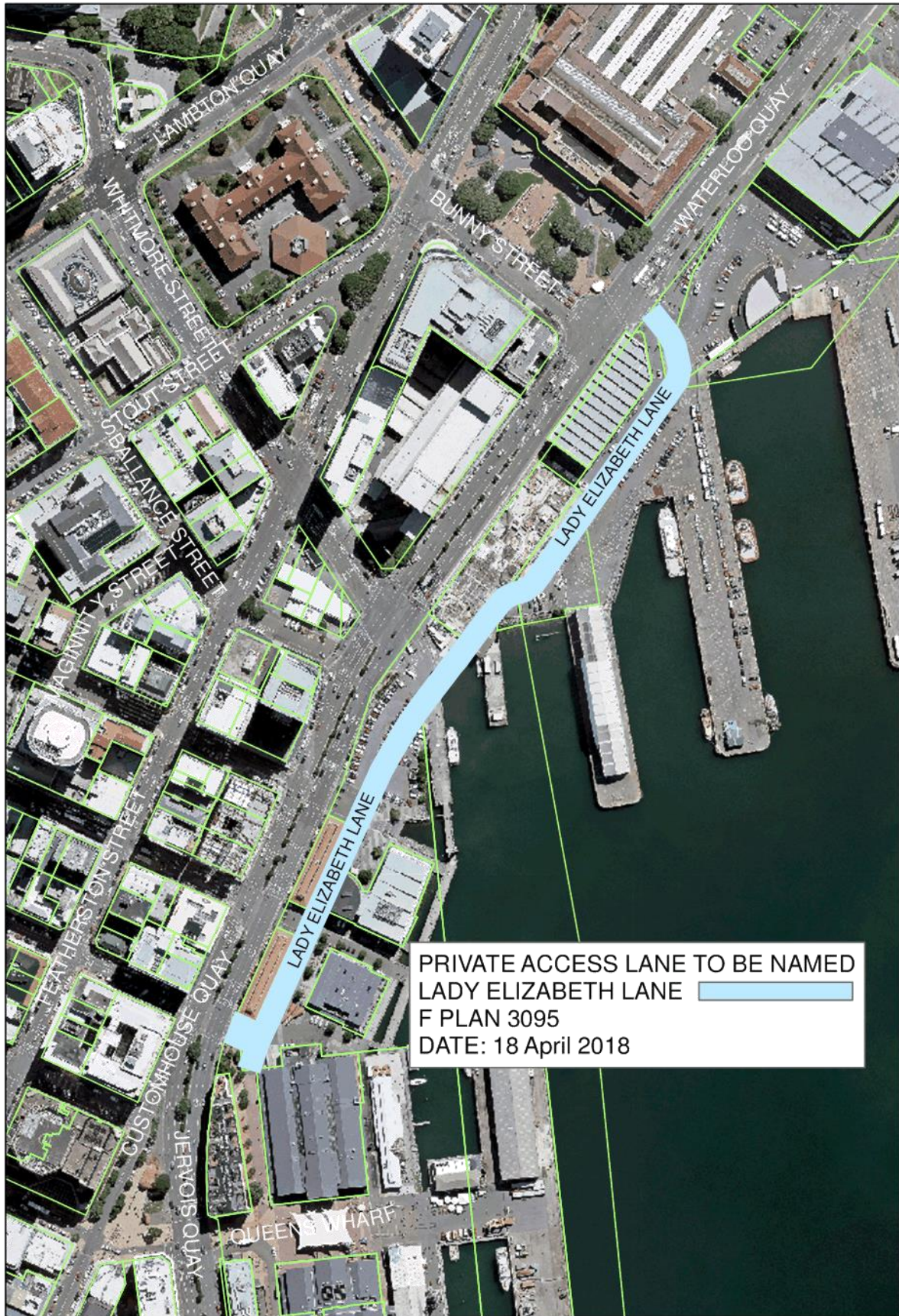
Communications Plan

There is an extensive notification list which includes Land Information New Zealand and emergency services, such as the Fire Service.

Health and Safety Impact considered

Health and safety for the general public and local residents and businesses will be enhanced by the naming of this lane since emergency services will be able to better locate the site of any emergencies in this area.

Attachment 1



Attachment 2**Manjeet Kaur**

From: Nicky Karu
Sent: Monday, 19 February 2018 12:50 p.m.
To: Manjeet Kaur
Subject: RE: Waterfront

Kia ora Manjeet

I spoke to iwi reps (Tracey Betham, Kirsty Tamanui and Morrie Love) this morning.

They prefer the new name Taimoana for the access lane on the waterfront. This also had the backing of Holden Hohaia – PNBST Trustee.
Kumutoto was further inland from The Terrace to original foreshore (Woodward St area).

Morrie and Holden agree that the waterfront should represent the new foreshore of Wellington city – Taimoana. Please put this name to Councillors.
It is a te reo name not a wāhi tūpuna name and tribally neutral.

The name has been suggested to Ngāti Toa and no response.
I have a meeting with Ngati Toa CEO on Thursday so will ask him to endorse the name Taimoana.

*Mauriora***Nicky Karu**

Manager Tira Poutama, Iwi Partnerships | Wellington City Council
P +6448038149 | M +64212278149 |
E Nicky.Karu@wcc.govt.nz | W Wellington.govt.nz

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From: Manjeet Kaur
Sent: Wednesday, 14 February 2018 1:04 p.m.
To: Nicky Karu
Subject: RE: Waterfront

Goo Afternoon Nicky

Thanks for your response and providing us the meaning of Taimoana.

Regarding Kumutoto, yes there is a very small access lane off The Terrace. No one is using any addresses off this lane. It can be considered to be renamed if the name Kumutoto is more appropriate to be used for waterfront.

We will appreciate your views.

Kind Regards

Manjeet Kaur

From: Nicky Karu
Sent: Monday, 12 February 2018 9:41 a.m.
To: Manjeet Kaur
Subject: RE: Waterfront

Kia ora Manjeet

I think we should simply go with what Morrie and Holden have recommended – Taimoana. It is easy and clear: the meaning is best translated as – harbour-side.

If Morrie had wanted Kumutoto he would have suggested it and are there other uses of Kumutoto elsewhere.

Pōneke is best left for something bigger.

Mauriora

Nicky Karu
Manager Tira Poutama, Iwi Partnerships | Wellington City Council
P +6448038149 | M +64212278149 |
E Nicky.Karu@wcc.govt.nz | W Wellington.govt.nz

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From: Manjeet Kaur
Sent: Friday, 9 February 2018 3:25 p.m.
To: Nicky Karu
Subject: RE: Waterfront

Good Afternoon Nicky

We are considering the following proposed names for the access lane shown on the attached plan.

Taimoana is one of the names suggested by Morrie Love.

We need to know the meaning of these words/names. We also need to know in what reference/context these names can be used.

Can some form your team help us please.

The names are:

Taimoana

Kumutoto

Poneke

We would be very grateful to you for your assistance.

Kind Regards

Manjeet Kaur
Senior Land & Customer Information Advisor
Land, Customer & Property Information
Wellington City Council
Tel: 801 3560

From: Michael Brownie
Sent: Thursday, 30 November 2017 8:39 a.m.
To: Nicky Karu
Cc: Manjeet Kaur
Subject: RE: Waterfront

Thanks Nicky

regards

Michael Brownie
T/I Land, Cust & property Info | Information Centre | Wellington City Council
P +6448013517 | M +64212278073 | F +6448013466
E Michael.Brownie@wcc.govt.nz | W Wellington.govt.nz | 

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Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

From: Nicky Karu
Sent: Thursday, 30 November 2017 7:13 a.m.
To: Michael Brownie
Subject: Fwd: Waterfront

See below - Waititi or Taimoana (preferred)

Nicky Karu
Tira Poutama, Iwi Partnerships
021 2278149

Begin forwarded message:

From: Holden Hohaia <holden.hohaia@xtra.co.nz>
Date: 29 November 2017 at 9:36:45 PM NZDT
To: Nicky Karu <Nicky.Karu@wcc.govt.nz>, Morrie Love <Morrie@ngahuru.maori.nz>
Cc: <kirsty@portnicholson.org.nz>
Subject: Re: Waterfront
Reply-To: Holden Hohaia <holden.hohaia@xtra.co.nz>

I like Taimoana

HH

On 29 November 2017 at 15:02 Nicky Karu <Nicky.Karu@wcc.govt.nz> wrote:

Thanks Morrie. Any thoughts Holden?

Nicky Karu
Tira Poutama, Iwi Partnerships
021 2278149

On 29/11/2017, at 2:56 PM, Morrie Love
<Morrie@ngahuru.maori.nz<<mailto:Morrie@ngahuru.maori.nz>>> wrote:

I have a couple of suggestions from the iwi side – the first I don't think is used in this context is Waititi (it is the name used for the area known as Waititi landing – the triangle reserve by Parliament.

The meaning of the word is probably shining water relating to the glistening of sand on the beach where streams seep out. This was probably Pipitea Beach.

Another more controversial one is Taimoana keeping it more obvious and simple but I guess that is everywhere.

Cheers

Morrie

From: Nicky Karu [<mailto:Nicky.Karu@wcc.govt.nz>]
Sent: Wednesday, 22 November 2017 4:15 p.m.
To: Morrie Love
<Morrie@ngahuru.maori.nz<<mailto:Morrie@ngahuru.maori.nz>>>; Holden Hohaia <holden.hohaia@xtra.co.nz<<mailto:holden.hohaia@xtra.co.nz>>>; kirsty@portnicholson.org.nz<<mailto:kirsty@portnicholson.org.nz>>>
Subject: FW: RE: Waterfront

Kia ora koutou

Attachment 3**Manjeet Kaur**

From: HOUSTON, David <David.Houston@police.govt.nz>
Sent: Wednesday, 22 November 2017 9:56 a.m.
To: Manjeet Kaur
Subject: RE: Naming of Waterfront Access Lane
Attachments: Wellington Police Maritime Unit Historical overview.doc

Hi Manjeet

My submission for the new name:

Lady Elizabeth Lane

Why

This area has always been the home for the Wellington Police Maritime Unit (Wharf Police) for the last 100yrs. Currently the Maritime base operates in the Old Ferry Building with the police launch Lady Elizabeth IV alongside the Service Jetty, which is adjacent the Lane. The service has rescued countless lives over the last 76 years around the Wellington region. There has always been a strong support for the service with the capitals citizens raising \$280,000 towards the 2.2 million Lady Elizabeth III when two lives were lost during a training exercise. In 1991 the community held a protest involving several hundred boats on Wellington harbour and further demonstrated by 46,000 signature petition to save Lady Liz when there was a suggestion of losing the service.

The Police launch Service started in 1941 with the first boat name being Lady Elizabeth. This name has carried on and will continue to be passed on into the future.

Lady Elizabeth 1941 - 1969

Lady Elizabeth II – 1973 -1986

One life was lost in 1978 during a rescue

Two lives were lost when she capsized during a storm in a training exercise 1986

Lady Elizabeth III 1989 - 2010

Lady Elizabeth IV 2010 - now



*2nd from left Lady Elizabeth and 4th Lady Elizabeth II
Waterloo Wharf*

I have attached a history of the Wharf Police
Thanks

Dave Houston
Officer in Charge
Wellington Police Maritime Unit

From: Manjeet Kaur [mailto:Manjeet.Kaur@wcc.govt.nz]
Sent: Monday, 20 November 2017 3:18 p.m.
To: HOUSTON, David <David.Houston@police.govt.nz>
Subject: Re: Naming of Waterfront Access Lane

Good Afternoon David

We write to invite your suggestions to name Waterfront Access Lane off Waterloo Quay.

Please refer to the attached letter & a copy of plan.

Kind Regards

Manjeet Kaur
Senior Land & Customer Information Advisor
Land, Customer & Property Information
Wellington City Council
Tel: 801 3560

Wellington Police Maritime Unit History

The Wellington Police Maritime Unit dates back to 1841 when police shared accommodation with the post office and a church in a cottage situated not far from the foreshore in Thorndon.

There were 13 men, including four constables detailed as part-time boatmen. They searched departing ships thought to contain "ringbolters"- disillusioned immigrants who stowed away in an attempt to leave without repaying their assisted fares. The police had no boat and relied on an 18 foot open cutter borrowed from the harbourmaster.

In 1867 waterfront police duties ceased. In 1885 the Harbour Board rallied for a renewed police presence and Constable Thomas Oliver was assigned to the waterfront on a part-time basis. Much of his time was spent investigating or preventing the removal of sand from Oriental Bay and Kaiwharawhara. He stayed until 1901 when he was transferred back to the city.

In October 1913, Wellington watersiders went on strike when the Union Steam Ship Company refused to pay travelling time to shipwrights. There was a general waterside strike throughout the country. All ports came to a standstill.

With the outbreak of World War I in 1914 shipping was confined to sailing ships, or slow and cumbersome coal burning ships. The Wellington waterfront expanded to meet increased coastal shipping and the demand for exported materials.

The Harbour Board continued to lobby for fulltime policing. On 23 August 1917, a sergeant and six constables were stationed at the wharf marking the beginning of today's Maritime Unit.

Wellington remained a major port during World War II and by 1941 a police boat was needed to patrol troop ships and installations around the harbour.

That year police acquired two vessels for Wellington and Auckland. The 34 foot pleasure launch Antipodes was stationed at Wellington. She was slow, narrow gutted and at 6 knots, rolled excessively.

Fred Musgrove was building a 38 foot pleasure boat for use in the Marlborough Sounds. It was taken from him under wartime regulations - he was paid the current market price of 2000 pounds. Fred had named his launch Lady Elizabeth - not after Royalty but after his grandmother!

Lady Elizabeth went into service and was crewed by a section of six Police who worked around the clock. She spent her time patrolling troop carriers.

Once, the early shift crew arrived to find her gone. She was found alongside the breastwork at Clyde Quay. A couple of drunken servicemen had taken her for a joyride in Wellington Harbour. They were never caught.

"Lady Liz" had a single engine, no home comforts and no communications. Police ran up a flag at strategic points if she was need for a rescue. The crew either returned at 9 knots to the berth, or if the flag indicated it was really urgent, they got to a phone for further instructions.

Lady Elizabeth was later fitted with up to date wireless and undertook took more rescues.

During the 1951 Waterfront Strike 130 police were based on the Wharf with a small crew on the launch. After the strike the "Lady Liz" and crew continued service but most other staff were transferred.

A new engine was installed but eventually the boat herself began to wear out. After several extensions she failed annual survey for the last time in 1969.

A replacement was sought and Police handed the project to the Ministry of Transport. David Eyres redeveloped the English design of the NPL Series 99 and Lady Elizabeth II was the result in 1973.

She provided a variety of waterborne police services until 2 July 1986. It was a cold, wet and miserable day with a 45 knot southerly and a 15ft swell running in the harbour. It was no day for amateurs but the conditions were far from the worst experienced by the launch base crew.

With more than 1500 operations behind her, many of which were rescues in heavy seas, Lady Elizabeth II with four crew on board headed out on a training run to Pencarrow. Tragically she capsized in huge seas at the entrance to Wellington Harbour.

Beacon Hill radio staff were the first to report the capsize. A rescue operation swung into action with tugs and other vessels heading out into the deteriorating conditions, along with skilled helicopter rescue pilot Peter Button and his son Clive as the winchman.

Two crew members - Jim McLean and Rod Herd - were found clinging to a life ring. In a daring display of flying Peter Button swooped in just above the waves and plucked the pair to safety.

Two lives were lost that day - Glenn Hughes and Phil Ward. The launch herself eventually broke up and sank.

Six days after the tragedy a steering committee was set up with the task of finding a replacement launch. It was difficult. The launch had to be reasonably specialised, capable of working out of Wellington and Cook Strait in harsh conditions, be a rescue boat, a pilot boat, a tug, a dive platform, be shallow drafted, capable of turning in confined moorings and marinas, self righting and able to be worked with a minimum of two crew!

Outside help was sought and registrations of interest advertised internationally. There were 78 replies from New Zealand, Australia, Canada, Japan, Korea, Hong Kong, Norway, Holland, England, Scotland, Israel, USA, Germany and Singapore.

Runabouts, gunboats (complete with machine gun) lifeboats, 30m ships, inflatables, boats not yet designed, second hand pleasure launches and Riviera style 'gin palaces' were all offered.

Sergeant Wayne Wilkey, officer in charge of the launch base, and consultant Terry Arthurs studied rescue services, designers and boatyards in Canada, England, Scotland, Norway, Holland, Hong Kong and Singapore. A Norwegian design looked promising and negotiations started on 1 July 1987. This proposal fell over and on 31 August 1987 John Harray, a consulting Naval Architect and Registered Engineer, was contracted. He was trained in the United Kingdom, had designed fibreglass mine sweepers and was on the design team for the Polaris Submarine Project.

John initially tried to modify the Norwegian boat into something that would suit Police but in December 1987 revisited the sea-keeping and general characteristics offered in the former Lady Elizabeth II. She had been a successful boat but was not a self righter. He studied the basic hull and underwater lines and five weeks later came up with a design. The boat, self-righting from 180 degrees, fitted the design brief. John had completed 572 drawings of which only 35 made up the final package.

The fit out was still a consideration, along with funding. Wellingtonians had contributed \$280,000 towards the cost of a replacement vessel. On 13 June 1988 Cabinet approved the calling for tenders and a month later boatbuilders and suppliers were asked to register their interest. Contractors within New Zealand and off shore responded. After a process of elimination, five New Zealand boatbuilders were invited to submit a tender.

The \$2.1 million contract was awarded to Dickson Boatbuilders Ltd, Nelson, on 14 October 1988. Lady Elizabeth III was launched on 8 November 1989 and delivered to Wellington to begin operational duty on 22 December 1989.

Lady Elizabeth III conducted numerous missions and was later decommissioned in 2010

Lady Elizabeth IV was built in Wanganui by Q West and was launched in 15 September 2010 and is still operating today

Attachment 4

Manjeet Kaur

From: Michael Faherty
Sent: Wednesday, 21 February 2018 10:20 a.m.
To: Michael Brownie; Manjeet Kaur
Subject: Naming of lane through Kumutoto

Good morning Michael and Manjeet.

Please see below for an extract of the recent TAG meeting minutes FYI and reference.

I thought the TAG meeting went very well. TAG found your (Michael's) input both useful and interesting and valuable overall.

Re-naming of Kumutoto Lane

1. Michael Brownie attended to present logic and protocols for naming, and discuss option already identified. The lane would extend from the north end of Shed 22 to the line of Brandon Street in the south.
2. Options we considered to have potential application and our rationale for this are (in no particular order):
 - a. **Taimoana Lane.** Given reference to the marine environment that would be appropriate, but only if the translation refers to the harbour, not an open ocean environment.
 - b. **Poneke Lane** – A locally-specific name with this being applied to the Port Nicholson inner harbour. It was questioned whether Poneke was an informal name for the area, and that would need to be advised on by others.
 - c. **Lady Elizabeth Lane.** This would be appropriate as referring to a locally-moored and long-established Wellington harbour identity which serves the community, and would complement Kumutoto being the Maori name for this area. There was some discussion around wayfinding with one view that the name would not assist wayfinding, and an alternative view that wayfinding would be assisted because of the long-term presence of the Lady Elizabeth police launch here.
 - d. **Waterfront Lane** – this would help with wayfinding, but could be too generic and mundane.
3. Of other options listed, TAG considered:
 - a. **Reclamation Lane** is too mundane, and has potentially negative connotations.
 - b. **The People's Way /Tangata Ara** is not place-specific, is too close to the 'Peoples Coffee' brand, and a misnomer give the corporate business along this lane including PWC, Z Energy, Mojo and Meridian
 - c. **Taonga Lane** is too generic, and many of the taonga noted as justification are not located on the lane.
 - d. **Kanohi Lane** –MB noted that this is a name that is being considered for and would be better applied to a wider harbour area. Also it would most likely to too generic for this site.

You will note from the above that TAG has outlined some options that TAG believes have potential and others that they believe should be dismissed/discarded.

Can you please let me know, just for my interest, what is the process and likely timeline from here? I know you have some time constraints in that the potential occupation of the building is only a matter of 4 or so months away.

Kind regards,

Michael

Michael Faherty

Project Director, Waterfront | Wellington City Council

P 04 495 7894 | M 027 278 2459 | F

E Michael.Faherty@wcc.govt.nz | W Wellington.govt.nz |  | 

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Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

City Shaper

Manjeet Kaur

From: Michael Faherty
Sent: Thursday, 22 February 2018 5:21 p.m.
To: Manjeet Kaur
Subject: RE: RE: Naming of Waterfront Access Lane

Hi Manjeet.

I personally don't have a preference for either – I like them both.

I see the name 'Taimoana' as having both a slight advantage and a slight disadvantage. Slight (possible) disadvantage is that when spoken it might sound like the more common Te Reo word 'Kaimoana' which means seafood. In other words, over the phone it might sound as if it comes across as 'Kaimoana' not 'Taimoana'. If it meets GWRC naming criteria then I expect they will have considered and dismissed this as a potential issue.

Slight advantage is that it is a 'Te Reo' name and 'walks the talk' in terms of WCC's recent public commitment to promote and foster Te Reo including use of Te Reo place names like Whairepo Lagoon

I trust this helps.

Cheers,

Michael

From: Manjeet Kaur
Sent: Thursday, 22 February 2018 5:02 p.m.
To: Michael Faherty
Subject: RE: Naming of Waterfront Access Lane

Good Afternoon Michael

We have short listed two names for the access lane, Taimoana and Lady Elizabeth.

As discussed with Michael during the TAG meeting, we contacted iwi to confirm the names Taimoana, Poneke & Kumutoto.

Iwi are in favour of name Taimoana. I have copied their response below:

Taimoana

It is easy and clear: the meaning is best translated as – harbour-side.

The waterfront should represent the new foreshore of Wellington city – Taimoana. Please put this name to Councillors.

It is a te reo name not a wāhi tūpuna name and tribally neutral.

Poneke

Pōneke is best left for something bigger.

Kumutoto

Kumutoto was further inland from The Terrace to original foreshore (Woodward St area).

Can you please indicate if you have preference for one or the other name before we start preparing the report.

Regional Council has confirmed that both names meet their criteria and are available/suitable to be used in Wellington region.

Kind Regards

Manjeet Kaur
Senior Land & Customer Information Advisor
Land, Customer & Property Information
Wellington City Council
Tel: 801 3560

Manjeet Kaur

From: Jaenine Parkinson <director@nzportraitgallery.org.nz>
Sent: Wednesday, 20 December 2017 10:29 a.m.
To: Manjeet Kaur
Subject: RE: Naming of Waterfront Access Lane

Kia ora Manjeet,

Thank you for your invitation to suggest names for the access lane. The New Zealand Portrait Gallery has three suggestions:

Taonga Lane

The lane extends down a popular artery of the waterfront, and the 'treasures' are many and varied. They are accessible and can be viewed by all. They include:

- The Academy Galleries
- The New Zealand Portrait Gallery
- The Museum of Wellington
- Bret Thurston's quirky public loos – are they aardvark, anteater or crayfish?
- Meridian Building – award-winning and a flagship for Meridian's sustainable values and New Zealand's first purpose-built 5 Green Star rated office building.
- Michael Tuffery's Nga Kina, guarding the entrance to Kumutoto stream and precinct
- Treasures of life - people meeting and coming together as embodied by a wide variety of restaurants, bars and cafes
- Mojo coffee
- As the jewel in the crown of Wellington Harbour, accessible and viewable from various points

The People's Way / Tangata Ara

Emphasizes the importance of public access to and walkers' connection with the waterfront area while alluding to the purpose of the museums and galleries to represent and connect people.

Kanohi Lane – Kanohi means both face and sight in Māori. The majority of lane users are pedestrian and the lane is a place for them to meet 'face to face' and gaze out at the sights of the Wellington Harbour. Alludes also to the primary focus of the gallery to present the many faces of NZ.

Many thanks,

Jaenine Parkinson
Director

New Zealand
Portrait Gallery
Te Pūkenga Whakaata



Phone: +64 4 472-8874
Cell: +64 21 177 9019

Shed 11, Queens Wharf, Wellington Waterfront
PO Box 25540 Wellington 6146

director@nzportraitgallery.org.nz
www.nzportraitgallery.org.nz

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Manjeet Kaur

From: Amanda Mulligan
Sent: Friday, 24 November 2017 12:37 p.m.
To: Manjeet Kaur
Subject: RE: Re: Naming of Waterfront Access Lane

Hi Manjeet

Some street names that the heritage team have come up with based on the history of the area are:

Reclamation – the street is on reclaimed land. Reclamation is a theme of major importance in Wellington’s history. Glasgow, Kings, Wool or Railway – the names of wharves and jetties adjacent to the street, Lion Foundry – formerly located on the corner of Waterloo Quay and Whitmore St

Kind regards

Amanda

Amanda Mulligan
Senior Heritage Advisor | City Planning | Wellington City Council
P 04 803 8313 | M 021 227 8313
E amanda.mulligan@wcc.govt.nz

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From: Manjeet Kaur
Sent: Monday, 20 November 2017 3:56 p.m.
To: Amanda Mulligan
Subject: Re: Naming of Waterfront Access Lane

Good Afternoon Amanda

We write to invite your suggestions to name Waterfront Access Lane off Waterloo Quay.

Please refer to the attached letter & a copy of plan.

Kind Regards

Manjeet Kaur
Senior Land & Customer Information Advisor
Land, Customer & Property Information
Wellington City Council
Tel: 801 3560

Attachment 5

Revised Road Naming
Procedures



August 2002

Revised Road Naming Procedures

3. APPROVAL CRITERIA

All recommended road names must meet the following approval criteria:

1. The name is not considered to be in poor taste or likely to cause offence.
2. The name is not difficult to pronounce and/or cannot be misheard or misread to be the same as a current road name in Wellington city.
3. The name is not already being used elsewhere in the city; for example, for a road, park or suburb. However, if a park has the same name and it adjoins the road, then the name may be used.
4. The name has significant local content or meaning. The name should reflect one of the following:

A. Traditional or Appropriate Maori Name

The traditional Maori name in an area that is recognised, or believed to be, a Maori heritage precinct, site or track, by the Council's manawhenua partners.

B. An Established Theme

If a naming "theme" is already established in a suburb, the names for that suburb should remain consistent with the theme.

C. Historical Person or Event

The name of a notable person or event from early history should ideally have a local association with the area. At the very least, the name should have a Wellington association. For example, they could be settlers or early notable people or events. Naming after persons living or recently deceased should generally be avoided.

D. Significant feature

It is appropriate to name a road after a significant feature in the area (for example, geographical feature, landscape, flora, or fauna). Naming after features which do not exist in the area should be avoided (for example, naming after native trees or plants that are not evident in the area, or views that cannot be identified).

E. Personal name (surname) for special service

This can be for conservation, sport, community service or other sphere of activity with local association which can be duly recognised. Naming after persons living or recently deceased should generally be avoided.

F. Published name in any work

If the area has a local/popular use name that has been used in a published work and the work is considered as authoritative by Council, then that name may be appropriate for the road. However, the name will not be considered to be official by virtue of it being published.

G. Cultural Significance other than Maori

If the area is significant to a culture other than Maori, written evidence of the significance must be provided.

Revised Road Naming Procedures

4. WEIGHTING THE NAMES

4.1 Areas of Significance to Maori and Thematic names

As outlined in sections 5.1.2 and 5.1.3 of these procedures, two main considerations for naming are:

- whether or not the area surrounding the road is recognised as a Maori heritage precinct, site or track (criterion A on the previous page), or
- if the new road is placed within an area with a predominant naming theme (criterion B on the previous page).

Should either of these considerations apply, the recommended name will usually be the one that is respectively either chosen by the manawhenua or is the best fit with the theme.

Where both of these considerations apply, City Information will use the weighted criteria below to provide a recommendation to the Chair of the Regulatory Committee and the local ward Councillor for decision. If the two Councillors are unable to decide which name would be most appropriate, a report may be forwarded to the Regulatory Committee for the committee to make the final decision.

4.2 Other Roads

When more than one name is suggested for a road, and the road does not fit into either criterion A or B, then City Information will compare the names against each other using the weighting framework in the below table. The weighting reflects the relative importance of the criteria and enables names to be ranked in order of merit, with the highest scored being the highest ranked.

Table 1: Weighting of Criteria

Criterion	Weighting
C. Historical Person or Event *	Medium 2
D. Significant feature	Medium 2
E. Personal name (surname) for special service *	Low 1
F. Published name in any work	Low 1
G. Cultural Significance	High 3
Score	

*Note that there may be more than one name suggested. If so the officer responsible will need to make an assessment on the relative merits of each name under the same criterion with regard to the following:

- extent of local knowledge about person or event
- contribution to area of interest.

APPROVAL OF NAMES FOR NEW ROADS IN CROFTON DOWNS

Purpose

1. The purpose of this report is to seek approval of a name for a newly created right-of-way in Crofton Downs, shown on F Plan 3096 (**Attachment 1** refers).

Summary

2. This is a proposal to name a right-of-way created as a result of subdivision in Crofton Downs.

Recommendations

That the Regulatory Processes Committee:

1. Receive the information.
2. Agree to approve the name *Silvereye Way* to be allocated to the right-of-way created as a result of recent subdivision in Crofton Downs, shown on F Plan 3096.

Background

3. As a result of recent subdivision in Crofton Downs, a new right-of-way needs to be named in accordance with the Council's Road Naming Procedures (August 2002), and the Addressing Standard (AS/NZS 4819:2011), administered by Land Information New Zealand.

Discussion

4. Recent development in Crofton Downs has created a new right-of-way which now needs to be named, as shown on F Plan 3096.
5. Most of the road names in Crofton Downs follow a Churchillian theme, being named for some association with Sir Winston Churchill. Of the 28 roads in Crofton Downs, approximately 20 follow this theme.
6. The developer of the subdivision, Parklane Infrastructure Limited, has proposed either family names or names that are associated with London, such as Mayfair, for roads and right-of-ways created as a result of the subdivision. Of the latter suggestion, two of the proposed names are already in use elsewhere in Wellington. The remainder do not have a clearly defined association with Sir Winston Churchill. The family names proposed by the developer do not meet the Council's Road Naming Procedures item 3(4)(c), being the names of living people.
7. Ian Leary of SpencerHolmes Limited, the developer's contracted agent, has indicated that Parklane Infrastructure Limited will accept the name *Silvereye* for a new road or right-of-way in this area.
8. The Ngaio Crofton Downs Residents Association, formerly known as the Ngaio Progressive Association, has canvassed local residents, primarily through the Association's Facebook page. Residents have indicated a strong preference for using

the names of native birds for new roads and right-of-ways created as a result of the subdivision (**Attachment 2** refers).

9. Local iwi support using the names of local birds (**Attachment 3** refers). Iwi suggest the use of macrons as well where these are part of the te reo format of a native bird's name.
10. Rewi Elliot, manager of the Otari Native Botanic Garden and Wilton's Bush reserve, was also consulted. He has suggested using the names of native plants for new roads created as a result of the subdivision (**Attachment 4** refers).

Recommended Names

11. Council officers recommend the name *Silvereye Way* be approved for the right-of-way created as a result of recent subdivision in Crofton Downs, shown on F Plan 3096. Officers feel this name is the most appropriate based on feedback from iwi, the local residents' association, the developer, and the Council's Road Naming Procedures.

Attachments

Attachment 1.	F Plan 3096 ↓	Page 90
Attachment 2.	Ngaio Crofton Downs Residents' Assoc Feedback ↓	Page 91
Attachment 3.	Iwi Consultation ↓	Page 93
Attachment 4.	Feedback From Rewi Elliot ↓	Page 95

Authors	Carline Thomas, Advisor, Land, Customer and Property Information Michael Brownie, Team Leader Land, Customer and Property Information
Authoriser	Alison McGray, Team Leader City Records David Chick, Chief City Planner

SUPPORTING INFORMATION

Engagement and Consultation

Consultation on this proposal has taken place with the developer, Parklane Infrastructure Limited, local residents via the Ngaio Crofton Downs Residents Association, local iwi, and Rewi Elliot, the manager of Otari Native Botanic Garden and Wilton's Bush Reserve.

The name has been checked for duplication, similarity and suitability by the Greater Wellington Regional Council.

Treaty of Waitangi considerations

Nicky Karu of the Council's Tira Poutama Iwi Partnerships team has advised that local iwi support the use of the names of native birds for the new roads created as a result of this subdivision in Crofton Downs, particularly where the names use te reo. Iwi also suggested that the image of the bird after which the road is proposed to be named be displayed for the road signs. This latter suggestion would need to be considered with reference to the New Zealand Transport Authority's Rule 54002 for Traffic Control Devices 2004.

Financial implications

Not applicable.

Policy and legislative implications

Allocation of street names is a statutory function under Section 319A of the Local Government Act 1974.

Risks / legal

Nil.

Climate Change impact and considerations

Nil.

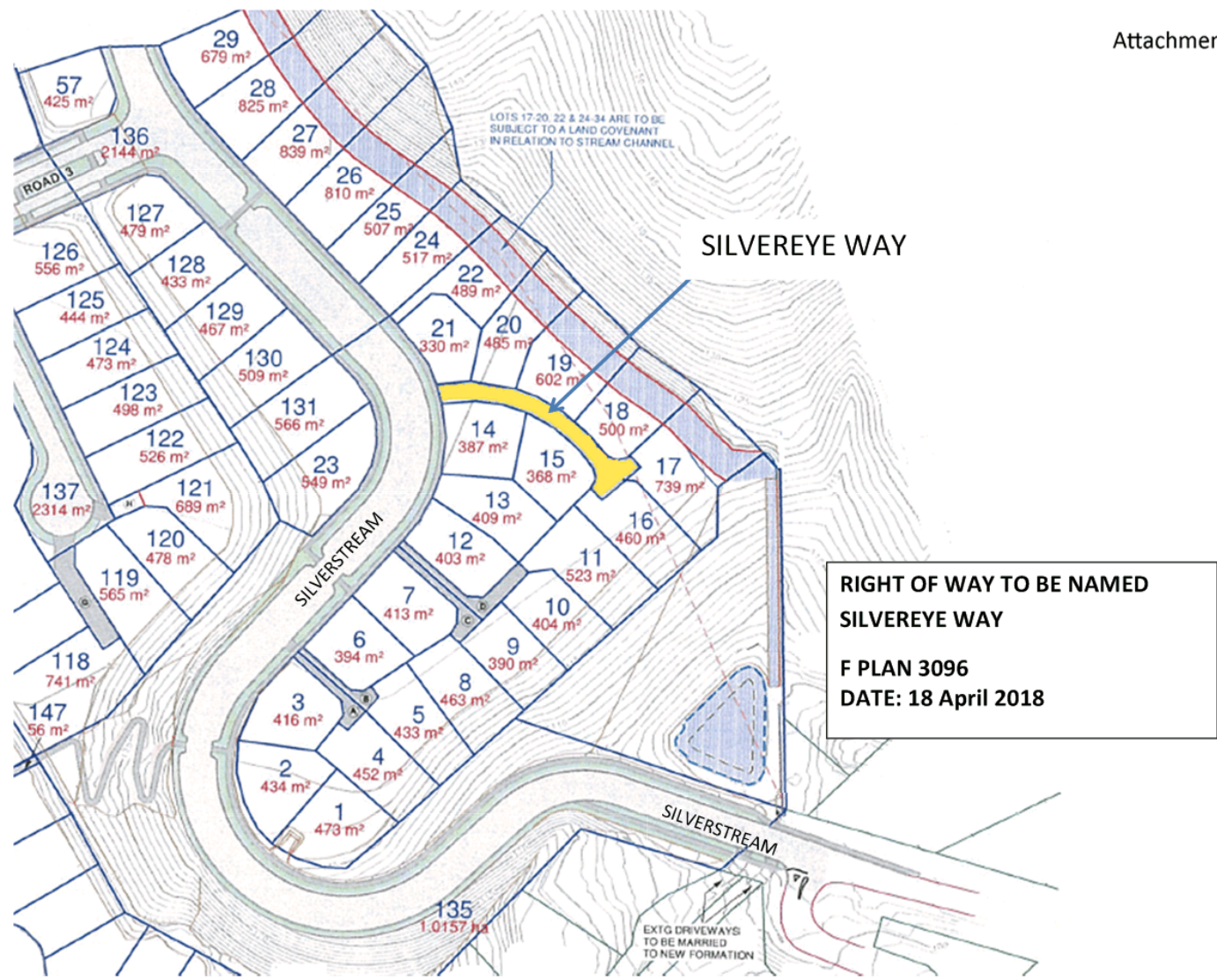
Communications Plan

There is an extensive notification list which includes Land Information New Zealand and emergency services, such as the Fire Service.

Health and Safety Impact considered

Health and safety for the general public and local residents will be facilitated by the naming of these roads because emergency services will be able to more easily locate the site of any emergencies in Crofton Downs.

Attachment 1



Attachment 2



22 December 2017

Manjeet Kaur
Senior Land & Customer Information Advisor
Land, Customer & Property Information
Wellington City Council

Dear Manjeet

131 Silverstream Road subdivision – street names

Thank you for the opportunity to comment on the proposal for street names for the 131 Silverstream Road subdivision. We passed your invitation to comment on to local residents, and this response reflects the work they have done in thinking about appropriate names.

In summary, our Association does not support any of the names proposed by the developer. None have any connection with our community, and like some aspects of the subdivision itself, show a lack of empathy with the setting. None of the names meet the key criterion of having “significant local content or meaning”. We believe, given the developer is “Parklane Infrastructure Ltd”, that the proposed name “Parklane” is completely inappropriate as it potentially commercialises the street naming process.

Some of the names in the 1950s parts of Crofton Downs have a Churchillian theme (e.g. Churchill, Winston, Spencer, Downing). Winston Spencer Churchill was a British prime minister with a residence in Downing Street. This is not, however, a consistent theme throughout Crofton Downs. The nearby Doris Gordon Way, for example, celebrates the early GP pioneer who played an important role in the establishment of an efficient maternity service for New Zealand.

Even if the Churchillian theme were consistent, it looks backwards to outdated connections with the “homeland”, and is out of touch with New Zealand in the twenty-first century. A poll of local residents described below shows it has very little support.

We strongly endorse the view of local residents that Road 1 should become part of Silverstream Road, retaining the Silverstream name. The end of Silverstream Road leads directly into Road 1. Further, Road 1 generally follows the stream running alongside Silverstream Road. Use of the Silverstream name will help build a feeling of inclusion into Crofton Downs rather than the new development being an appendage. The names proposed by the developer, on the other hand, could suggest an exclusiveness that is alien to our Association’s values.

Discussions among local residents identified a native bird theme as having significant local meaning. The development is surrounded by native vegetation. In particular, Crofton Downs has made a name for itself nationally and internationally as a predator-free suburb. The initiative has resulted in supporting an environment that threatened bird species like kaka and kakariki thrive in. Kaka have now successfully fledged in the Silverstream valley for at least the last five seasons. Crofton Downs residents are rightly proud of their environment and the Natural Capital concept. They would like to celebrate this with street names that reflect the remarkable transformation of our community.

With the native bird theme in mind, a poll was conducted on the Crofton Downs Facebook page in which bird names together with the developer's proposed names were included. The results were:

- Kaka (24 votes)
- Ruru (20)
- Hihi (14)
- Piwakawaka (14)
- Riroriro (8)
- Tieke (7)
- Silvereye (3)
- Stick to the current (i.e. Churchillian) theme (3)
- Each of the developer's four proposed names (no support from local residents)

Our Association strongly recommends that the preference for native bird names so strongly expressed by local residents is followed in assigning names to Roads 2, 3 and 4.

The only caveat we have would be if tangata whenua took a different view. There was traditional cultivation close to Silverstream Road. We understand that the developers undertook pre-application consultation with the Port Nicholson Block and Te Runanga o Toa Rangatira. Port Nicholson offered to work with the developer to "consider naming the streets and opens spaces to bring the history alive". Given that the developer's proposals have a London theme it appears the offer was not taken up.

The Crofton Downs community and our Association are looking forward to restoring the balance of the land as a scenic reserve when it vests in Council – enhancing its biodiversity and perhaps some of its mauri in the process. We trust this will be at the fore when decisions about the names are made.

We would be happy to address Council on this issue.

Kind regards



John White
Chairperson
Ngaio Crofton Downs Residents Association

Attachment 3

Manjeet Kaur

From: Kirsty Tamanui <kirsty@portnicholson.org.nz>
Sent: Wednesday, 17 January 2018 10:34 a.m.
To: Tracey Betham; Nicky Karu; Manjeet Kaur
Cc: Rewi Elliot
Subject: RE: Road Name

Our Takiwa Komiti leads are happy with this also.

Ngā mihi

Kirsty Tamanui | Kaipakihī Rauemi | *Interim Business Operations Manager*



Tramways Building
1-3 Thorndon Quay
Wellington 6011
PO Box 12164
Wellington 6144

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From: Tracey Betham [<mailto:Tracey@ngahuru.maori.nz>]
Sent: Wednesday, January 17, 2018 9:02 AM
To: Nicky Karu <Nicky.Karu@wcc.govt.nz>; Manjeet Kaur <Manjeet.Kaur@wcc.govt.nz>
Cc: Rewi Elliot <Rewi.Elliot@wcc.govt.nz>; Kirsty Tamanui <kirsty@portnicholson.org.nz>
Subject: RE: Road Name

Morena

Both WTT and PNMRT Chairs are all good with the names as well, and like the use of macrons where appropriate too. Suggestion has also come forward that it would be great if the street signs were adorned with a picture of the birds as well.

Naku me nga mihi, na



From: Nicky Karu [mailto:Nicky.Karu@wcc.govt.nz]
 Sent: Tuesday, 16 January 2018 9:19 AM
 To: Manjeet Kaur <Manjeet.Kaur@wcc.govt.nz>
 Cc: Rewi Elliot <Rewi.Elliot@wcc.govt.nz>; Tracey Betham <Tracey@ngahuru.maori.nz>; Kirsty Tamanui <kirsty@portnicholson.org.nz>
 Subject: RE: Road Name

Kia ora Manjeet

These are awesome names.
 I have forwarded to our iwi entities for their comment.
 (Tracey and Kirsty – please note that iwi liaison at the time had declined to give names for these roads primarily because of the existing theme.)

Are we suggesting the first three – Kākā, Ruru and Hihī?
 You may want to seek any input from Rewi Elliot at Otari-Wilton Bush (I've cc'd) – as our staff expert. I don't know if all these manu are indigenous to our region.

I also suggest we use macrons in street signage – is this possible?

- Kākā (24 votes)
- Ruru (20)
- Hihī (14)
- Pīwakawaka (14)
- Riroriro (8)
- Tīeke (7)

Mauriora

Nicky Karu

Manager Tira Pouama

iwi Partnerships |

Wellington City Council

P +6448038149 | M

+64212278149 |

E

Nicky.Karu@wcc.govt.nz

| W Wellington.govt.nz

The information contained

Attachment 4

Manjeet Kaur

From: Rewi Elliot
Sent: Tuesday, 16 January 2018 2:12 p.m.
To: Nicky Karu; Manjeet Kaur
Cc: Tracey Betham; Kirsty Tamanui
Subject: RE: Road Name

Kia ora.

Hey thanks Nicky but I'm by no means an expert on manu. Plants are my game. However, yes, all those manu listed below are indigenous to the Wellington region.

Manjeet, there are some pretty nice plants we could name streets after too! How about Kohurangi Close, Tawhirikaro Terrace or Porokaiwhiri Place? Sounds pretty good to me.

Most folks know bird names, now is the time to up Wellingtonians botanical literacy!

Cheers,

Rewi Elliot
Manager - Otari Native Botanic Garden and Wilton's Bush Reserve
President – New Zealand Plant Conservation Network
160 Wilton Rd, Wilton, Wellington
Wellington City Council
P 04 475 3245 | M 021 227 8169 | F 04 475 9417
E Rewi.Elliot@wcc.govt.nz | W Wellington.govt.nz |  
Website: wellington.govt.nz/gardens

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From: Nicky Karu
Sent: Tuesday, 16 January 2018 9:19 a.m.
To: Manjeet Kaur
Cc: Rewi Elliot; Tracey Betham; Kirsty Tamanui
Subject: RE: Road Name

Kia ora Manjeet

These are awesome names.
I have forwarded to our iwi entities for their comment.
(Tracey and Kirsty – please note that iwi liaison at the time had declined to give names for these roads primarily because of the existing theme.)

Are we suggesting the first three – Kākā, Ruru and Hihi?
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I also suggest we use macrons in street signage – is this possible?

TWO NEW PROPOSED LICENCES UNDER RESERVES ACT 1977

Purpose

1. This paper asks the Committee to approve the following new licences under the Reserves Act 1977:
 - **Brooklyn Junior Cricket Club** – two cricket nets at Vogelmorn Park and Play Area, Brooklyn (recreation reserve)
 - **Mark Turner** – one beekeeping pallet at Derry Hill Reserve, Churton Park (reserve land)

Summary

2. The *Leases Policy for Community and Recreation Groups* (**Attachment 1** refers) sets out the Council's role in granting leases or licences on Council-owned land and/or buildings.
3. Two new requests for licences have been received and referred to the Committee for approval.
4. Due to significant growth of the Brooklyn Junior Cricket Club (BJCC), an additional two cricket nets for hard ball practice are required. The new nets will be adjacent to the existing ones on the West side of Vogelmorn Park. The club will continue to maintain both sets of nets.
5. The BJCC are an Incorporated Society and continue to satisfy the assessment criteria set out in Section 7 of the *Leases Policy for Community and Recreation Groups*.
6. Mark Turner is the organiser of a community group in Churton Park who will look after the bees and hives in one pallet in the signposted designated area in Derry Hill Reserve.
7. The beekeeping group is not an Incorporated Society and therefore does not meet the assessment criteria in the *Leases Policy for Community and Recreation Groups*. It is, however, a community activity which benefits local flora and is consistent with similar occupation agreements over land held under the Reserves Act 1977.
8. Public notification has taken place regarding both of the proposals and no objections have been received.
9. Maps showing the proposed licence areas are enclosed as **Attachments 2 and 3**.
10. Approval to grant low level/risk licences on reserve land to community and recreation groups (such as these) was previously delegated to officers by the Environment Committee on 6 August 2014. However when the Environment Committee was disestablished, this delegation was not carried over to the replacement committees. Council will be asked to consider incorporating this delegation change into the ToR for the Regulatory Processes Committee and Delegations Policy at the next available opportunity.

Recommendation/s

That the Regulatory Processes Committee:

1. Receives the information.

2. Agrees to grant a new licence under the Reserves Act 1977 to Brooklyn Junior Cricket Club of 32x7m contained within Lot 1 DP 7714 (CFR WN25D/1000) for a three year term for new cricket nets.
3. Agrees to grant a new licence under the Reserves Act 1977 to Mark Turner of 4.6 sqm contained within Lot 4 DP 88736 and Lot 2 DP 90258 (CFR 659385) for a three year term for one beekeeping pallet.
4. Notes that public notification process has been carried out according to s119 and s120 of the Reserves Act 1977 and only supportive feedback was received.

Background

Brooklyn Junior Cricket Club

11. The Brooklyn Junior Cricket Club has two existing nets on Vogelhorn Park that are open to the community. Due to significant growth of the club's players, they require an additional two cricket nets for hard ball practice. The new nets will be locked and will only be able to be used by the club members. The old nets will remain open to the public. The club will continue to maintain both sets of nets.
12. Public notification took place from 23 February – 23 March 2018. The Brooklyn Residents' Association were the only group to provide feedback on the nets, and they were supportive.
13. **Attachment 2** shows the proposed location for the cricket nets in relation to Vogelhorn Park.

Mark Turner

14. Mark Turner is a Churton Park resident and is the organiser of a community group who will tend to the bees and hives. Seven other families are involved in the project and about 30 neighbouring properties have been consulted and are all supportive of the hives. The group have worked with the local ranger and will follow the *WCC Guidelines for Community Beekeeping on Public Land*. The group will also undertake revegetation planting of the area.
15. Public notification took place from 23 February – 23 March 2018. The Churton Park Community Association was the only group to provide feedback on the beehives. The Association recognise the benefits of beekeeping to the flora of the area and so were supportive of the proposal.
16. **Attachment 3** shows the proposed location for the beehives at Derry Hill Reserve, Churton Park.

Next Actions

17. If the recommendations in this report are accepted, the licence documents will be negotiated, drafted and signed.

Attachments

Attachment 1.	Leases Policy for Community and Recreation Groups (approved 2012) ↓	Page 101
Attachment 2.	Brooklyn Junior Cricket Club - cricket nets layout ↓	Page 117
Attachment 3.	Mark Turner - beehive location ↓	Page 119

Author	Kristine Ford, Relationship Management Advisor
Authoriser	Barbara McKerrow, Chief Operating Officer Paul Andrews, Manager Parks, Sport and Recreation

SUPPORTING INFORMATION

Engagement and Consultation

Public consultation for the two licences took place from 23 February – 23 March 2018 according to s119 and s120 of the Reserves Act 1977. The Brooklyn Residents Association and the Churton Park Community Association were the only two groups that submitted feedback and both were supportive of the proposed licences.

Treaty of Waitangi considerations

There are no Treaty of Waitangi considerations related to the proposed licences.

Financial implications

There are no financial implications of the proposed licences.

Policy and legislative implications

The proposals are consistent with relevant legislation and Council guidelines.

Risks / legal

The proposals will be subject to the provisions in the Reserves Act 1977.

Climate Change impact and considerations

There are no climate change impacts and considerations.

Communications Plan

Not applicable.

Health and Safety Impact considered

The cricket nets will be constructed by a Council-approved contractor.

The beehive organiser, Mark Turner, will follow the health and safety guidelines set out in the *WCC Guidelines for Community Beekeeping on Public Land*. Mr Turner will ensure there is adequate signposting in the reserve noting the position of the beehives.



Contents

1. Introduction
2. Policy objectives
3. Scope of policy
4. Guiding principles
5. Leasing process
6. Public notification
7. Assessment criteria
8. Primary terms and conditions of lease
 - 8.1 Rental determination
 - 8.2 Maintenance fee for premises leases
 - 8.3 Tenure framework
 - 8.4 Reporting requirements
 - 8.5 Allocation of responsibilities between the Council and lessee
 - 8.6 Accessways and paths
 - 8.7 Insurance
 - 8.8 Commercial activities
 - 8.9 Subleasing
 - 8.10 Additions and alterations of any building or improvement
 - 8.11 Ownership of buildings and/or structures on expiry or early termination of leases
 - 8.12 External signage
 - 8.13 Fees and charges

Definitions

1. Introduction

The Council plays a central role in promoting healthy lifestyles and building strong communities. This role includes providing recreational and sporting opportunities as well as facilitating community networks.

The Council leases land and/or buildings at a subsidised rental to a wide range of community and recreation groups (groups). As Council-owned land and buildings are a limited resource, the Council needs to allocate this resource in a way that maximises the use of its assets and responds to changing demands.

The Leases Policy for Community and Recreation Groups (policy) sets out the Council's role in leasing land and/or buildings to groups and provides guidance on:

- granting leases of land and/or buildings to community and recreation groups
- managing leases relating to the groups
- the standard to which land and/or buildings will be maintained to ensure appropriate asset management.

2. Policy objectives

The objectives of this policy are to:

- ensure maximum community benefit is derived from Council-owned land and buildings
- strengthen participation and engagement in community and recreational activities
- ensure leases are managed fairly, processes are transparent and Council officers (officers) have the flexibility to respond to community needs.

3. Scope of policy

This policy applies to all community and recreation groups which lease Council-owned land and/or buildings. The provisions of this policy will be applied to existing leases where they allow or where aspects of the existing leases are silent or ambiguous.

The policy does not apply to:

- community centres and halls
- early childhood centres
- recreation centres.

4. Guiding principles

The following set of principles will govern the Council's response to groups when granting and managing leases:

1. The Council will support groups whose activities contribute to the Council's priorities and long-term community outcomes. This support is primarily in the provision of subsidised access to Council owned-land and/or buildings.
2. The relationship between the Council and groups will be collaborative.
 - There will be open communication between the Council and groups.
 - Both parties will work collectively in a transparent manner to achieve the Council's social and recreational outcomes.
 - The Council will treat all groups fairly. This will be done by equally distributing support and resources and consistently applying rental fees and charges.
3. Land and buildings will be responsibly managed.
 - All buildings, whether owned by the Council or the group will be maintained to the standard required under the lease, for their economic life.
 - Groups will be encouraged to adopt a sportsville or amalgamation model to effectively utilise land and/or buildings if they wish to do so, or if the Council believes it would be beneficial. The Council may encourage groups to adopt this model if they are facing financial hardship, have a declining membership or if utilisation of land and/or buildings is low or a similar activity is provided nearby by other groups.
 - The terms and conditions within leases will be consistently applied.
4. A flexible approach will be taken when responding to changing community and recreational activities and levels of demand.

5. Leasing process

A group can apply for a ground or premises lease. A ground lease is applicable where the Council owns the land and the group owns the building. A premises lease is applicable where the Council owns the land and building.

On occasions, it may be more suitable to grant a licence. For example, licences may be appropriate due to the nature of the activities proposed, or where the land classification does not allow for exclusive use. In these instances the leasing process (section 5) and assessment criteria (section 7) will be applied.

Management plans and Council strategies will be used by officers to ascertain what activity or structure can be permitted on an area of land. Where there is

no management plan, the proposed activity will be tested against the purpose for which the land is held and/or classified.

In the Council's capacity as administrator and trustee of reserve land, it has the responsibility to ensure the land is managed in accordance with the Reserves Act 1977 (Reserves Act). If an activity is not anticipated in a management plan or sits outside of the Council's delegations under the Reserves Act, final consent from the Department of Conservation will be required.

All non-reserve land that is held by the Council for public amenity or open space purposes will be treated in accordance with this policy. This will ensure consistency in decision making and public scrutiny.

When an application for a new ground or premises lease is made by a group, officers will undertake the following process:

1. Officers will discuss the leasing process with the group and assess whether granting a lease can be considered or is appropriate.
2. If granting a lease can be considered, or is appropriate, the group will be asked to make a formal application.
3. Officers will assess the application using the assessment criteria outlined in section 7 of the policy.
4. If the application meets the assessment criteria, officers will consult with iwi.
5. Officers will prepare a committee or subcommittee report to seek approval to grant a lease, subject to public notification and obtaining approvals required by any relevant legislation. Public notification will be required for reserve land and land managed as reserve. Refer to section 6 for further information on the public notification process.
6. Any sustained objections received through the public notification process will be presented to a committee or subcommittee to consider, if necessary.
7. If no objections are sustained and all approvals required are obtained, a lease will be prepared and executed.

6. Public notification

The Reserves Act contains exceptions to the public notification requirements set out in sections 119 and 120 of the Reserves Act. The exception applies if the proposed lease conforms with the approved management plan for the reserve, or if the proposed lease is subject to a resource consent that was notified under section 93(2) of the Resource Management Act 1991.

In the interests of transparency, all proposed leases of reserve and non-reserve land will be publicly notified in accordance with the process set out in sections 119 and 120 of the Reserves Act.

Land that is managed as reserve but is not classified as such will also be publicly notified. Although the public notification process will not be undertaken in accordance with the Reserves Act, the Council will follow the process outlined in the Reserves Act.

7. Assessment criteria

The assessment criteria will be applied when assessing:

- new lease applications
- granting lease renewals
- granting new leases to existing lessees
- varying existing leases.

1. The group's purpose and activities must be consistent with the Council's strategic direction to promote healthy lifestyles and build strong communities

Key questions: What is the group's purpose? What are the additional facilities and programmes proposed? What additional benefits will the proposal bring to the community?

2. The group must be an incorporated society or trust

Key questions: How does the group spend the money it raises and what happens to any surplus? What is the group's structure and are there clear governance and management processes?

3. The group must be sustainable in terms of membership and/or users of the service for the term of the lease

Key questions: Is there evidence that the group's membership numbers and trends justify and necessitate the proposal? Is there an open membership policy? Does the application support a sportsville or amalgamation model?

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

Key questions: How does the group fund its activities? Has a scheduled maintenance programme been developed and is there evidence that the group is able to afford to implement the programme?

5. The land and/or buildings must be utilised to the fullest extent practicable

Key questions: How often will the building be used and what activities are planned? Are there any plans to sublease or hire out the building or part of the building? What alternatives have been considered by the group and why have they been rejected? Is there potential for the group to share facilities with other existing lessees?

6. The activity cannot have the potential to adversely affect open space values or other legitimate activities

Key questions: Is the activity consistent with the Reserves Act, Resource Management Act and any applicable management plan/s?

7. There must be demonstrated support and need within the community for the activity

Key questions: Is there support from the wider community and those expected to benefit from the activity? Are similar activities to the one being proposed, delivered by other facilities that are accessible to the group and the wider community?

Each case will be considered on an individual basis by officers who will make recommendations to a committee or subcommittee for approval.

If, at renewal time, a lessee does not meet all the assessment criteria, officers will prepare a committee or subcommittee report to seek approval to revoke the renewal and terminate the lease. If the lessee does meet all assessment criteria, officers will renew the lease.

If an existing lessee applying for a new lease does not meet all the assessment criteria, officers will prepare a committee or subcommittee report recommending that a new lease is not granted. If the lessee does meet all the assessment criteria, officers will seek committee or subcommittee approval to grant a new lease.

If at any time during the term of the lease, the lessee does not meet one or more of the assessment criteria, officers will provide assistance to the lessee in meeting the necessary criteria. If such assistance is unsuccessful, officers may prepare a committee or subcommittee report to seek approval to terminate the lease prior to its expiry.

Any application from an existing lessee or new group to undertake a commercial activity on Council-owned land and/or buildings will be required to meet the criteria in section 8.8 (commercial activities).

Where applications do not meet relevant legal requirements (for example, those defined in the Reserves Act) or comply with applicable management plans, the application will be declined.

8. Primary terms and conditions of lease

The lease is a legally binding document which records the obligations of the Council and lessee in relation to the land and/or buildings leased. The primary terms and conditions of the lease are outlined below.

8.1 Rental determination

The rental for ground and premises leases will be calculated using a 'sliding scale' based on a square metre rate, as shown in the table below:

Area	Rental rate/m ²
≤ 250	\$1.60
251 – 500	\$1.20
501 – 1000	\$0.60
1001 – 2500	\$0.48
2501 – 5000	\$0.40
5001 – 7500	\$0.32
≥ 7501	\$0.20

For example, the rental for 500m² of land would be calculated at \$1.60 for the first 250m² and \$1.20 for the remaining 250m². This equates to a rental of \$700 per annum plus GST or \$1.40 per square metre overall.

The rental model provides for equitable rentals between lessees and provides a rental subsidy of 86.67%.

Rent reviews will be applied to all new leases and existing leases where the lease provisions allow. Triennial rent reviews will be undertaken in accordance with the percentage change in the Consumer Price Index (CPI) and a market-based review will be undertaken every third review (ie every nine years) by an independent registered valuer.

Where existing lease provisions allow for the rental model to be adopted, rental increases greater than \$500 per annum will be phased in over a period of three years (ie a one third increase each year).

A rental reduction may be considered where the leased area is open to the public for use when not in use by the lessee.

8.2 Maintenance fee for premises leases

A maintenance fee is applied to each premises lease to help cover Council costs relating to scheduled maintenance, reactive maintenance, and exterior renewals.

Maintenance fees are calculated on a proportional basis for all premises leases and are calculated as follows:

Step 1: total maintenance costs ÷ total area of buildings leased in the premises lease portfolio = m^2

Step 2: individual leased area × $\$m^2 \times 20\%$, 50% or 100% = maintenance fee

The maintenance fee will be charged on an annual basis and is CPI adjusted.

For the first year of this policy, the Council will recover 20% of the maintenance fee as calculated using the formula above. In years two to four, the Council will recover 50% of the fee and from year five onwards, lessees will be responsible for 100% of the maintenance fee.

Lessees will be advised every year in writing of the annual maintenance fee and works to be undertaken by the Council.

In some cases a reduction in rental or the maintenance fee may be considered where a community or recreation group is facing demonstrated financial hardship. In these circumstances all community and recreation groups will be considered on a case-by-case basis and any reductions will be negotiated with individual groups.

8.3 Tenure framework

The standard tenure for leases relating to reserve or fee simple land is 10 years plus a 10-year right of renewal.

A shorter tenure may be granted in the following instances:

- declining trends in an activity
- alternative use of the land and/or buildings is anticipated by the Council
- life expectancy of the building is less than the standard tenure applicable
- the group does not have an existing relationship with the Council or is not a known entity to the Council
- a shorter tenure is required by a management plan
- the group requests a shorter tenure.

A longer tenure may be granted if groups amalgamate, share facilities or where a significant investment has been or is going to be made which results in land and/or buildings being utilised to their fullest extent practicable.

8.4 Reporting requirements

The Council is interested in the ongoing performance of its lessees so that it can monitor the achievement of the strategic objectives set for the city, as well as ensure lessees meet the assessment criteria (section 7) throughout the tenure of their lease. All lessees are required to fulfil their reporting requirements on an annual basis. Reporting requirements may be tailored to a particular lessee and will generally include:

- membership numbers and usage rates
- community events undertaken from the leased land and/or building
- hireage of land and/or buildings
- financial information
- works the lessee has undertaken on its building in accordance with the scheduled maintenance plan.

8.5 Allocation of responsibilities between the Council and lessee

Where the lessee owns a building situated on Council-owned land, the lessee is responsible for:

- legal obligations associated with the building (for example, building and contents insurance, building warrant of fitness)
- legal obligations associated with the activities of the lessee
- all interior maintenance (including but not exclusive to plumbing and painting) and exterior maintenance
- all surface and subsurface structures which includes but is not limited to, pipes and drains to the point of connection to the mains network, whether that connection is located inside or outside the leased area
- rubbish control and grounds maintenance of the leased area
- keeping the premises properly secured at all times
- fencing
- outgoings including but not exclusive to water, electricity, gas, telephone
- payment of rent
- payment of rates if applicable.

The Council is responsible for:

- monitoring compliance with lease provisions.

Where the Council owns the building and the land, the lessee is responsible for:

- legal obligations associated with the activities of the lessee

- all interior maintenance (including but not exclusive to plumbing, painting)
- all surface and subsurface structures which includes but is not limited to, pipes and drains to the point of connection to the mains network, whether that connection is located inside or outside the leased area
- rubbish control and grounds maintenance of the leased area
- keeping the premises properly secured at all times
- fencing
- outgoings including but not exclusive to water, electricity, gas, telephone
- payment of rent
- payment of annual maintenance fee
- payment of rates if applicable.

The Council is responsible for:

- legal obligations associated with the building (building insurance, building warrant of fitness)
- exterior maintenance
- monitoring compliance with lease provisions.

Where ownership of a building is shared between the lessee and the Council, maintenance obligations will be determined on a case-by-case basis and will be specified in the lease.

8.6 Accessways and paths

- Where the lessee has exclusive use of an accessway or path, the lessee is responsible for its maintenance.
- Where an accessway or path is shared between lessees, the responsibility for maintenance will be appropriately shared between the lessees.
- Where an accessway or path is shared between the public and a lessee, and the public specifically needs to use the accessway path, the maintenance costs will be shared between the lessee and the Council as specified in the lease.

8.7 Insurance

Where a lessee owns a building, structure or has significant equipment on Council-owned land, the lessee must hold full replacement insurance cover.

If a lessee has significant issues with meeting their insurance obligations, the Council will work with the lessee to resolve the issues and in exceptional circumstances, will assess whether full replacement insurance is required.

Buildings owned by the Council will be insured for full replacement value.

If a building owned by the Council is partially or totally destroyed, the Council has the absolute discretion to decide whether the building will be rebuilt. If a decision is made to not rebuild, the lease will be terminated immediately.

All lessees must hold public liability insurance to the value specified in the lease.

8.8 Commercial activities

The Reserves Act allows commercial activities on recreation reserve provided that the activity is necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve.

Groups which wish to carry out commercial activities within an area leased under this policy must first seek approval from the Council. Any approval to carry out such an activity will only be permitted to the extent that:

- the commercial activity is ancillary to the group's primary community or recreational activity
- any excess funds generated by the group are in the first instance applied to any maintenance obligations the group has under the lease and then to the group's community or recreational activity.

8.9 Subleasing

Lessees may not transfer, sublet, or dispose of their interest in a lease without prior written approval from the Council.

Subleasing will only be considered where the sublessee and its activities comply with the policy, applicable legislative requirements and management plans. If the land is classified as reserve, the sublessee's activities must enhance the primary purpose of the land.

If a lessee is given approval to enter into a sublease, the lessee will be responsible for:

- preparing the sublease and associated costs
- obtaining committee or subcommittee approval of the sublease agreement
- recovery of all fees and charges associated with the sublease
- providing the Council with an executed copy of the sublease agreement.

Any application for a sublease proposing to undertake a commercial activity on Council-owned land and/or buildings will be required to meet the criteria in section 8.8 (commercial activities).

8.10 Additions and alterations of any building or improvement

Where a lessee wishes to erect any new building or improvement or alter, reinstate or extend any existing building or improvement, landowner approval must be obtained from officers whether the building or improvement is Council-owned or not. Landowner approval must be obtained prior to seeking any approval from the Council in its regulatory capacity.

All additions and alterations require landowner approval from the Council.

Approval for significant additions or alterations (for example, building a deck, removing a wall, extending the building footprint) will be assessed in accordance with the assessment criteria (section 7).

Committee or subcommittee approval will be required if any proposed additions or alterations result in an extension of the leased area and a new lease or variation to the existing lease will be required.

Lessees proposing to make additions or alterations to any building or improvement will need to contact the Council in its regulatory capacity to ensure their proposal complies with the Building Act 2004 and the Resource Management Act 1991.

8.11 Ownership of buildings and/or structures on expiry or early termination of leases

Where a lease is near expiry, has expired or is terminated by either party, and it has been decided that a new lease will not be granted to the existing lessee, any buildings or structures owned by the lessee:

- may be removed by the lessee
- may revert to Council ownership, if the Council wishes to accept ownership
- may be transferred to another community or recreation group.

Where the building and/or structures are in a poor condition, the lessee will be responsible for removing the building and/or structures at their expense.

No compensation will be paid to a lessee where a lessee's building reverts to Council ownership.

Any assignment is subject to the new group going through the leasing process (section 5) and meeting the assessment criteria (section 7).

Any lessee wishing to sell their building to another community or recreation group will need to:

- ensure the building has been maintained in accordance with the requirements of the lease

- seek confirmation from the Council that the proposed purchaser would be granted a lease under this policy
- maintain its status as an incorporated society or trust throughout the sale process
- apply any sale proceeds to the lessee's community or recreational activity, or in the event that the group ceases to operate then the proceeds must be transferred to the Council.

Any group that has ceased, or intends to cease, operating as an incorporated society or trust cannot sell or transfer its building – in this instance, the building will revert to Council ownership without compensation payable.

Where existing lessees or new groups decide to amalgamate and operate from an existing or new building, landowner approval for amalgamation may be contingent on any surplus buildings being removed or demolished.

Where buildings become unoccupied, officers may decide not to advertise them to the community as being available if there is limited demand or if the building requires significant capital investment.

8.12 External signage

Lessees are required to obtain landowner approval from the Council for any signs they wish to erect on the land and/or building. In respect of this:

- all signs must comply with the relevant legislative requirements, District Plan and management plans
- one sign may be erected showing the name of the lessee, any logo associated with the lessee, the use of the land and or/building and contact details
- the design and appearance of signs must not detract from the amenity of the area
- temporary signs relating to special events are permitted with prior written approval from the Council.

Additional signs may be erected where required to give effect to the approved use of the land but prior written approval must be obtained from the Council.

In general, commercial advertising is prohibited in leased areas. However, existing and future sponsorship advertising relating to the activity shall be permitted where the wording is only readable from within the leased area or the area relating to where the associated activity is held.

8.13 Fees and charges

All groups are liable for all legal costs and expenses relating to the preparation of a new lease, renewal or any variation and any other associated costs, including but not exclusive to advertising, surveying and obtaining resource consent.

Definitions

Applicant: A community or recreation group applying to the Council for a lease of Council-owned land and/or buildings.

Expired lease: The end of the initial term and any renewal terms, if applicable.

Exterior renewals: A programme to replace or renew assets before they wear out, for example, painting (renewal), reroofing (replacing).

Governance: The process by which the governance, board, or trustees set and monitor strategic direction and priorities; set policies and management performance expectations; and monitor and evaluate organisational achievements.

Ground lease: A lease granted where the Council owns the land, and any buildings on the land are owned by the community or recreation group.

Initial term: The first term provided for in a lease.

Landowner approval: Written approval from Council officers.

Lessee: A community or recreation group to which a lease is made.

Management: Management has the responsibility of implementing policies and strategic direction developed and put in place by the governance, board or trustees as well as managing day-to-day operations of the community or recreation groups as set by the governance, board or trustees.

New lease: A lease granted to a community or recreation group that has not previously held a lease with the Council or a lease granted to an existing community or recreation group that has an expired lease.

Premises lease: A lease granted where the Council owns the land and buildings.

Reactive maintenance: Repairing an asset, for example, repairing a boiler, and removing graffiti.

Renewal term: The further term(s) provided for in a lease.

Scheduled maintenance: Systematic programme to maintain the functionality of assets, for example, building compliance obligations (building warrant of fitness), and electrical checks.

Sponsor: An organisation or person who has specifically provided funding for the activities of the community or recreational group. For example, funding competitions, and team uniforms.

Sportsville model: A model where sports clubs form partnerships or collaborate with other clubs. The sportsville concept can involve sports clubs sharing ideas, resources, knowledge and skills. In some cases sports clubs will share buildings or amalgamate. The model aims to foster a sustainable future for sports clubs.

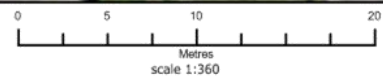
Sustained objections: An objection which Council officers have been unable to resolve and/or where the objector wishes to be heard by a committee or subcommittee.





Derry Hill, Churton Park

 Lease Area - 4.6m²



Property boundaries, 20m Contours, road names, rail lines, address & tide points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. 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.

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

ORIGINAL MAP SIZE: A4
 AUTHOR: presto2j
 DATE: 30/10/2017

Absolutely Positively
Wellington City Council
 Me Heke Ki Pōneke

Path Z:\Open_spaces_and_environment\Parks_Analysis_Projects\Leases\Parks_Leases.aprx

3. Public Excluded

Resolution to Exclude the Public:

THAT the Regulatory Processes Committee :

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

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
3.1 Updating Council's List of Independent Commissioners	7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.