

**ORDINARY MEETING**

**OF**

**REGULATORY PROCESSES COMMITTEE**

**AGENDA**

**Time:** 9:30am  
**Date:** Wednesday, 13 February 2019  
**Venue:** Committee Room 1  
Ground Floor, Council Offices  
101 Wakefield Street  
Wellington

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**MEMBERSHIP**

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

**Have your say!**

*You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8334, emailing [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz) or writing to Democracy Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number, and the issue you would like to talk about.*

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## **AREA OF FOCUS**

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

The committee will have responsibility for:

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

**Quorum:** 3 members

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## **1 Meeting Conduct**

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### **1.1 Apologies**

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

### **1.2 Conflict of Interest Declarations**

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

### **1.3 Confirmation of Minutes**

The minutes of the meeting held on 11 December 2018 will be put to the Regulatory Processes Committee for confirmation.

The minutes of the extraordinary meeting held on 23 January 2019 will be put to the Regulatory Processes Committee for confirmation.

### **1.4 Items not on the Agenda**

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

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

The Chairperson shall state to the meeting:

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

The item may be allowed onto the agenda by resolution of the Regulatory Processes Committee.

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

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Regulatory Processes Committee for further discussion.

### **1.5 Public Participation**

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

Requests for public participation can be sent by email to [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz), by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.



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## 2. General Business

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### PROPOSED ROAD STOPPING - LAND ADJOINING 42 VIEW ROAD, HOUGHTON BAY

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#### Purpose

1. This report asks the Regulatory Processes Committee to recommend that the Council stops and sells approximately 85m<sup>2</sup> (subject to survey) of unformed legal road adjoining 42 View Road, Houghton Bay. Refer to **Attachment 1** for location plan.

#### Summary

2. The owner of 42 View Road, Houghton Bay has applied to purchase the area outlined in red in **Attachment 2** (the Land).
3. This area comprises a fenced lawn, vegetation, part of the applicant's garage and driveway.
4. Utility providers and the Council's internal business units have been consulted. All support the proposal subject to standard conditions (where applicable).
5. Initial consultation letters have been sent to the five immediate neighbours. At the time of writing this report, none have responded; a sixth property owner further down the road has made enquiries regarding the proposal. This is discussed further in the report.
6. If the Council approves officers' recommendations then public notification will commence. Neighbours and any other member of the public will then have the opportunity to make a submission.

#### Recommendation/s

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to the Council that it:
  - a) Agrees that approximately 85m<sup>2</sup> (subject to survey) of unformed legal road land in View Road, Houghton Bay, shown outlined red on Attachment 2 (the Land), and adjoining 42 View Road (being Lots 7 and 8 DP 4221 CFR WN425/24) is not required for a public work and is surplus to Council requirements.
  - b) Agrees to dispose of the Land.
  - c) Agrees that approximately 1m<sup>2</sup> (subject to survey) of unformed legal road land in View Road, Houghton Bay, highlighted blue on Attachment 2 and adjoining 42 View Road (being Lots 7 and 8 DP 4221 CFR WN425/24) is not required for road, and can be stopped for use as an isolation strip.
  - d) 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 slopes gently down from the formed carraigeway and comprises a fenced lawn, vegetation, part of the applicants garage and driveway. (View from Cockayne Road in **Attachment 3**).
8. The applicant currently uses the Land under an encroachment licence.
9. The applicant is interested in purchasing the Land as they want to landscape their current encroachment licence area to create a safe play environment for a special needs child, preferring to do that with the security of ownership rather than under an encroachment licence.

## Discussion

10. Road Stopping is provided for under Sections 319(1)(h) and 342(1)(a) and the Tenth Schedule of the Local Government Act 1974 (LGA).
11. The Council, under section 40 of the Public Works Act 1981 (PWA), 'shall endeavour' to dispose of any land not required for the public work for which it was taken, and which is not required for any other public work. Section 345(1)(a)(i) of the Local Government Act 1974 provides council with the statutory power to dispose of stopped road.
12. Advisors from Council's Transport and Infrastructure unit have confirmed the Land is not required for future road widening or public access purposes. They supported the proposal subject to 3m legal road land from the kerb line on the applicant's side of View Road being retained. An isolation strip would be required on the extension of the 42/40 View Road side boundary, as shown blue on **Attachment 2**.
13. Relevant Council business units have been consulted and none wish to retain the Land.
14. As is normal practise in the early stages of the road stopping process, officers have written to the five immediate neighbours notifying them that Council had received this road stopping application. At the time of preparing this report no response had been received; however, another neighbour further down the road on the opposite side of the proposed stopping did make enquiries. All of these owners will be consulted again when the formal public consultation is carried out later in the road stopping process.
15. If Council approves the above, officers will establish whether any offer back obligations under section 40 of the Public Works Act 1981 exist.

## Options

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

## Next Actions

17. Conclude an investigation in accordance with s40 PWA.
18. Initiate the public notification process.

19. Prepare a survey plan and Sale and Purchase contract.

### Attachments

Attachment 1.	Location Plan <a href="#">↓</a> 	Page 12
Attachment 2.	Aerial <a href="#">↓</a> 	Page 13
Attachment 3.	Views from street <a href="#">↓</a> 	Page 14

Author	Paul Davidson, Property Advisor
Authoriser	Wendy O'Neill, Property Services Manager Siobhan Procter, Manager, Transport and Infrastructure David Chick, Chief City Planner

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

#### ***Community***

In September 2018 letters were sent to five immediate neighbours of the land proposed to be stopped. At the time of preparing this report no response had been received, but another neighbour did make enquiries.

All of these owners will be consulted again when the formal public consultation is carried out later in the road stopping process.

#### ***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 has assets running through the subject land. These assets will either be relocated or an easement registered on the title (at the applicant's expense).

Wellington Water Ltd advised the toby may need to be relocated to ensure that it remains in legal road land. Exact positioning relative to the new legal boundary will be confirmed by survey, and if required the toby will be relocated (at the applicant's expense).

Several relevant Council business units were consulted in addition to the Transport and Infrastructure unit: i.e., Parks, Sport and Recreation, City Consent and Compliance, District Plan, Urban Design, and Vehicle Access.

None objected to the road stopping.

City Planning and Design supported on the condition that the approximately 85m<sup>2</sup> parcel of road to be stopped adjoining 42 View Road is to be amalgamated with that property. Also due to new front yard rule requirements being triggered consult with the owners of 41A, 45 and 47 View Road.

### **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.

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

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

**Risks / legal**

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

**Climate Change impact and considerations**

There are no climate change implications for this road stopping.

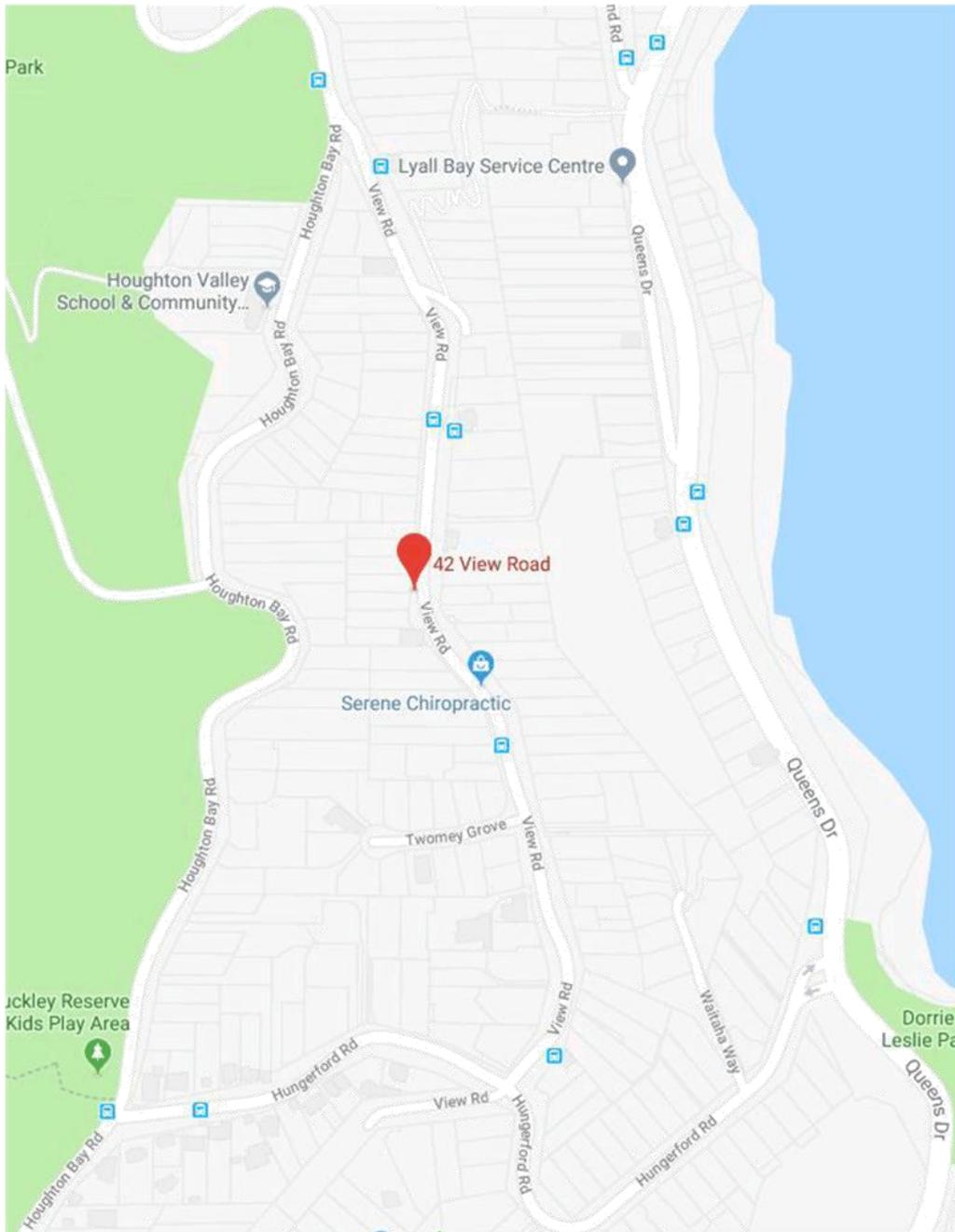
**Communications Plan**

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

**Health and Safety Impact considered**

Officers are not aware of any negative health and safety impacts relating to this proposal.

Location Plan



Aerial



Views from street



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## ROAD STOPPING AND LAND EXCHANGE - LEGAL ROAD IN MANSFIELD STREET ADJOINING 3 ROY STREET, NEWTOWN

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### Purpose

1. This report asks the Regulatory Processes Committee to recommend to Council to:
  - a. Stops and sells approximately 29m<sup>2</sup> of Council-owned unformed legal road in Mansfield Street, adjoining 3 Roy Street, Newtown, Wellington (the Land); and
  - b. Acquires approximately 6m<sup>2</sup> of the applicant's land for the purposes of road.

### Summary

2. The owner of 3 Roy Street has applied to purchase part of the unformed legal road adjoining its property. Refer to **Attachment 1** for location plan.
3. Council's transport planners have taken this opportunity to acquire approximately 6m<sup>2</sup> of the owner's property (the Applicant's Land) in partial exchange for the above. This is to address a small area of public footpath on the corner of Mansfield Street and Roy Street being built on the applicant's property.
4. Refer to **Attachment 2** for aerial with the Land outlined red, and the Applicant's Land outlined blue.
5. Utility providers and relevant Council business units have been consulted. All support the proposal subject to standard conditions (where applicable).
6. The proposal improves public safety and addresses the anomaly of part of a public footpath being built on private land and does not affect any private access. Given the situation officer's consider the road stopping can be carried out under the Public Works Act 1981 (PWA) process, which does not require public notification as there are no other effected parties whose legal and physical access has been affected and adjoining landowner consent has been obtained in writing.
7. A short section of a neighbouring 313 Mansfield Street's legal frontage would become side boundary. In consideration of that the applicant has offered the owner of that property an easement which has been accepted.

### Recommendation/s

That the Regulatory Processes Committee:

1. Receives the information.
2. Recommends to Council that it:
  - a) Agrees that approximately 29m<sup>2</sup> (subject to survey) of unformed road land in Mansfield Street, Newtown, shown outlined red on Attachment 1 (the Land), and adjoining 3 Roy Street, Newtown (Lot 1 DP 8332 ROT WN480/107) is not required for a public work and is surplus to Council requirements.
  - b) Agrees to dispose of the Land by partial exchange and/or sale for approximately 6m<sup>2</sup> of the owners adjoining land currently part of 3 Roy Street, Newtown (Lot 1 DP 8332 ROT WN480/107) shown outlined blue 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, negotiating the terms of sale and exchange, imposing any reasonable covenants, and anything else deemed necessary.

## Background

8. The owners of 3 Roy Street, Newtown have applied to acquire an area of legal road land in Mansfield Street to use as a 'buffer' for a proposed new dwelling they intend building.
9. The owners intend fencing and landscaping the subject land, and using part of it for parking. The proposed new dwelling to be located within their existing property.
10. The area of legal road land proposed to be stopped is currently part of an extra wide public footpath. The width of the footpath is such that cars are commonly parked on it, creating pedestrian safety issues.
11. Council's transport planners support the road stopping proposal as it aligns the property boundary with the front of the neighbouring property at 313 Mansfield St, and removes the widened pavement area unused by pedestrians at the back of the public footpath. A continuous footpath width of at least 3.0 m will still remain.
12. As part of considering this road stopping proposal Council's transport planners have taken the opportunity to acquire a small area of the applicant's existing property. This is to address a small area of public footpath on the corner of Mansfield Street and Roy Street being built on the applicant's property. Refer to **Attachment 3** for views at street level.

## Discussion

13. Road Stopping is provided for under sections 116 and 117 of the Public Works Act 1981 (PWA). This legislation does not provide for public notification and is considered appropriate given this proposal improves public safety, and addresses the acquisition of the land over which part of a public footpath built on private land.
14. A short section of legal frontage of the adjoining 313 Mansfield Street property would become a side boundary. The applicant has offered the owners of that property an easement to provide them access for maintenance and rights to drain water. The owner of 313 Mansfield Street has accepted this offer and given their written consent.
15. The two areas of land concerned with this proposal have been valued. In addition to the exchange of land Council will receive further payment from the applicant.
16. As part of the road stopping, officers consult with service authorities and affected internal business units. All have granted consent with only standard conditions applying.
17. 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.
18. If Council approves the above, officers will establish whether any offerback obligations under section 40 PWA exist although exclusions are likely to apply.

## Options

19. The alternative to undertaking the road stopping is to retain the Land as legal road (footpath). In the long term this will incur maintenance and retention costs on land that Council no longer requires. Furthermore unless Council takes some other action to deter cars parking on this section of footpath in Mansfield St, this situation will continue.

## Next Actions

20. Conclude an investigation in accordance with s40 PWA.
21. Prepare a survey plan and conclude a land exchange agreement.
22. Gazette notice (Declaring the Land stopped)
23. Transfer and settlement
24. Gazette notice (Applicant's Land as legal road)

## Attachments

- |               |   |         |
|---------------|---|---------|
| Attachment 1. | Location plan <a href="#">↓</a>      | Page 20 |
| Attachment 2. | Aerial <a href="#">↓</a>             | Page 21 |
| Attachment 3. | Views from street <a href="#">↓</a>  | Page 22 |

Author	Paul Davidson, Property Advisor
Authoriser	Wendy O'Neill, Property Services Manager Siobhan Procter, Manager, Transport and Infrastructure David Chick, Chief City Planner

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**SUPPORTING INFORMATION****Engagement and Consultation****Community**

Written consent has been obtained from the owner of 313 Mansfield Street. No other consultation is planned.

**Utility Provider and Council Business Units**

All relevant utility providers and Council business units have been consulted. None have assets in the subject road land, or objected to the road stopping.

Chorus have a manhole near the subject legal road land proposed to be stopped. The proposed new legal boundaries ensure they are a minimum of 200mm away from the manhole, that being Chorus's requirements.

**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 financial considerations related to this recommendation. Given the exchange proposal transport planners have agreed to contribute 50% of the legal and survey costs. All other associated costs will be recovered from the applicant. The income Council is to receive from the exchange will be directed towards the general fund.

As of August 2011 a new cost sharing initiative for road stoppings was approved by the Council. The rebate amount is a percentage of the sale price, so is determined at the end of the process when these costs are known. This does not apply to the exchange proposal given Council is already sharing the legal and survey costs.

**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 proposal.

**Communications Plan**

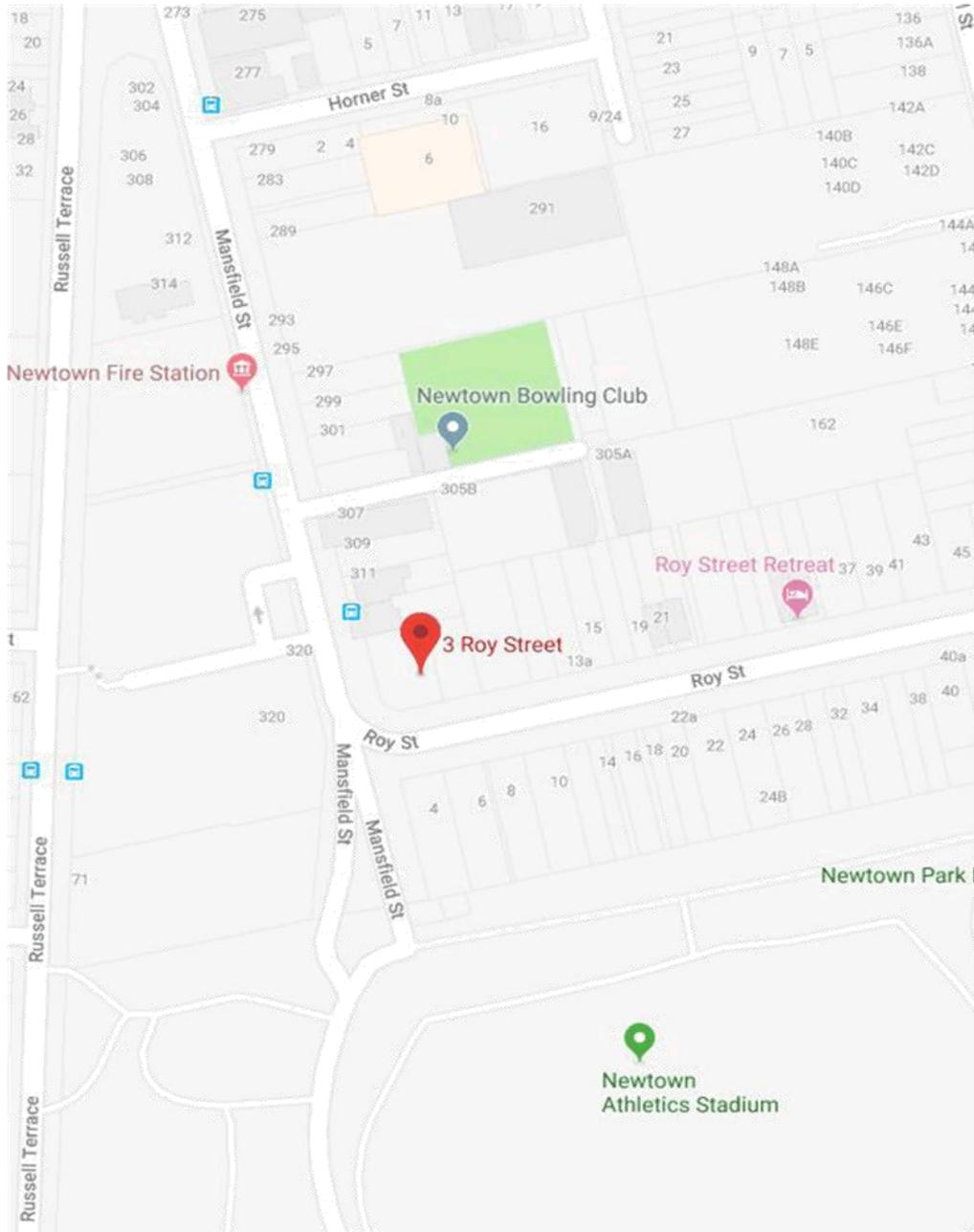
N/A

**Health and Safety Impact considered**

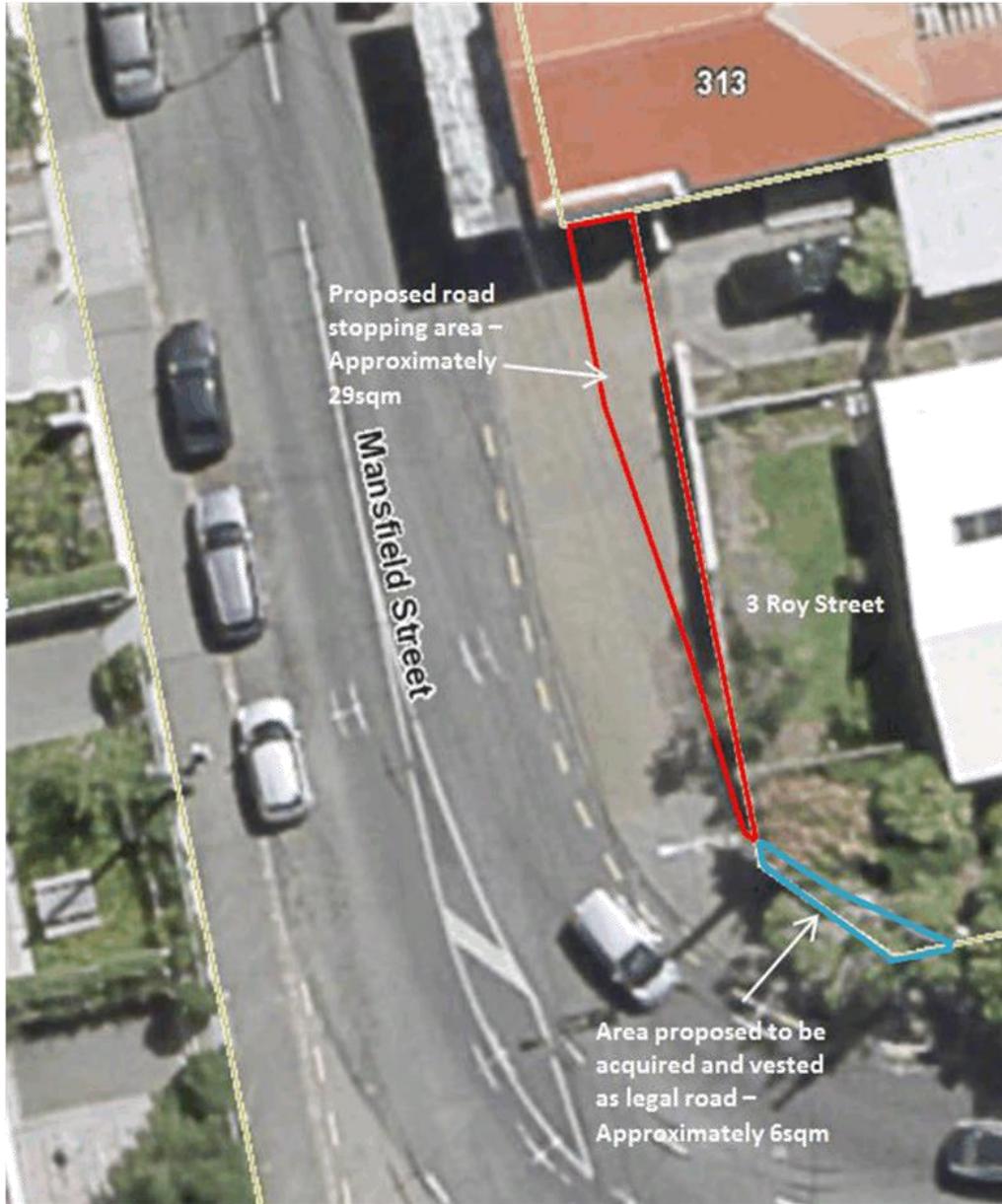
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Council's transport planners support the road stopping proposal as decreasing the width of the footpath would discourage cars from being parked on public footpath, that situation creating public safety issues.

Location plan



Aerial



View from Mansfield Street



View from Roy Street







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## NEW LICENCES FOR: WELLINGTON CITY LIGHT HORSE CLUB: EXISTING LICENCES

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### Purpose

1. This report asks the Regulatory Processes Committee to approve two new grazing licences for the Wellington City Light Horse Club Incorporated, an existing lessee, under the Reserves Act 1977 ('the Reserves Act').

### Summary

2. The *Leases Policy for Community and Recreation Groups* (available at <https://wellington.govt.nz/your-council/plans-policies-and-bylaws/policies/leases-policy-for-community-and-recreational-groups>) sets out the Council's role in granting leases and licences on Council-owned land and/or buildings.
3. Under the Council's Delegations Policy (available at <http://staffnet.net.ad.wcc.govt.nz/tools-and-policies/policies/delegations-policy/>) all licences and leases on reserve land must be approved by the Regulatory Processes Committee.
4. The proposed licences are a continuation of existing occupancies for the Wellington City Light Horse Club (WCLHC) Incorporated.
5. The Club has grazed horses in the area at Tawatawa reserve since 1991 and the area at Sinclair Park and Play Area since 2006 and continues to perform satisfactorily.
6. Based on Officers' assessment, it is recommended under the Reserves Act that two grazing licences be granted to the WCLHC for five years, with one renewal of five years on land at:
  - Sinclair Park and Play Area; and
  - Tawatawa Reserve.

### Recommendation/s

That the Regulatory Processes Committee:

1. Receives the information.
2. Agrees to grant two grazing licences for a five year term, with one renewal term of five years, to the Wellington City Light Horse Club for two areas:
  - a. The land at Houghton Bay Road, Sinclair Park and Play Area, legally described as Lot 211, 213, 282, 283, 284, 285 and 286, on Deposited Plan 171, Lots 2-5 Deposited Plan 19203 and Part Lot 1 Deposited Plan 17040 being part the land comprised of and described in Record of Title WN780/98.
  - b. The land at Happy Valley Road and Murchison Street, Owhiro Bay, Tawatawa Reserve, legally described as part of Part Lot 1 Deposited Plan 9934 and part of Lot 1, 2 and 23 Owhiro District DP1855 and described in Record of Title WN52A/851.
3. Notes that approval to grant the leases on Reserve land is conditional on:
  - a. Appropriate iwi consultation

- b. Public notification as required under sections 119 and 120 of the Reserves Act 1977
- c. No sustained objections resulting from the above notification
- d. Legal and advertising costs being met by the Lessee (where applicable).

## Background

### Wellington City Light Horse Club ('WCLHC')

7. The Wellington City Light Horse Club (WCLHC) has grazed horses on land at Happy Valley Road and Murchison Street, Owhiro Bay ('Tawatawa Reserve') since 1991 and land at Houghton Bay Road ('Sinclair Park and Play Area') since 2006.
8. Sinclair Park and Play Area is legally described as Lot 211, 213, 282, 283, 284, 285 and 286, on Deposited Plan 171, Lots 2-5 Deposited Plan 19203 and Part Lot 1 Deposited Plan 17040 being part of the land comprised of and described in Record of Title WN780/98.
9. The licenced area at Sinclair Park and Play Area is 7,611m<sup>2</sup> and the licence fee is \$500 +GST per annum.
10. Tawatawa Reserve is legally described as part of Part Lot 1 Deposited Plan 9934 and part of Lot 1, 2 and 23 Owhiro District DP1855 and described in Record of Title WN52A/851.
11. The licenced area at Tawatawa Reserve is 181,866m<sup>2</sup> and the licence fee is \$500 +GST per annum. Note that while the area currently designated is large, much of it is unusable space. The Council Rangers will work with the Club to retire some of the land and contain the grazing activities.
12. The Council Ranger team will be engaging a farm Consultant this year to review the grazing licence charges and the number of horses that are appropriate for each site.
13. Both the previous grazing licences were for a five year term with one renewal term of five years, and expired on 30 November 2018.
14. In September 2018, the WCLHC submitted an application for new licences on both sites. Council Officers assessed the application using the criteria in section 7 of the Leases Policy for Recreation and Community Groups and the Reserves Act.
15. Based on Officers' assessment of the Club's application, it is recommended that the Committee approve a lease for a five year term, with one renewal term of five years. The recommended term is because the WCLHC has kept both sites well-maintained and is financially healthy. The term is in accordance with Section 74 (2)(a) of the Reserves Act which allows for a maximum of ten years.

## Discussion

16. Under the Leases Policy, new leases and licences are considered against seven criteria:
  - a. Strategic fit;
  - b. Group's organisation structure;
  - c. Membership sustainability;

- d. Financial and maintenance obligations;
  - e. Optimal use of resources;
  - f. Environmental impact; and
  - g. Demonstrated need from the community.
17. The information submitted by the Club was assessed as performing satisfactorily under each of these above criteria:

**Wellington City Light Horse Club ('the WCLHC')**

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

18. The WCLHC dates back to the late 1940s when the cavalry horses grazed in the grounds of Government House. The Club has since evolved to maintaining two licenced sites and offering the ability to educate and engage families about equine ownership and sports.
19. Both sites are located just outside Wellington city and offer the community a rural aspect in the city. The Club keeps the horses available for the community to enjoy while accessing the reserves. For example, the Tawatawa Reserve is open to members of the public as part of the Southern Walkway, and people often comment how they enjoy seeing the horses.
20. The WCLHC also:
- attends school events and offer riding to the community
  - provides emergency accommodation or respite for horses travelling long distance and in need of overnight grazing
  - plans to provide ongoing driver education about safely passing horses on the road by getting out and about, and becoming more engaged with the community.

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

21. The WCLHC have been an incorporated society since 1971. The Club is governed by a Committee with a President, Secretary, Treasurer and grazing representative. The Committee meets approximately three times a year and also get together regularly at the paddocks for club days, horse movements, shoeing, feeding out and working bees.

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

22. The WCLHC have 12 adult members, seven of which graze their horses elsewhere but are part of the Club for the social and community aspect. Two of these members are honorary, lifelong members. There are also eight young people aged between 6-18 years who are part of the Club through family membership.
23. All members are involved in horse welfare, paddock maintenance, community events and go for horse rides.
24. In order to increase their membership, the WCLHC have extended to include the wider horse riding community, and have been promoting and advertising membership for new non-grazing members. There are limitations on both sites due to their size, and access, and as such can only accommodate a limited number of horses.
25. Club days and events and also advertised through Facebook, attracting various visitors.

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

**Financial**

26. The WCLHC receive income from various sources including membership fees, grazing, occasional emergency stays for horses in need of overnight grazing, and koha for manure. In the year ending March 31 2017 the Club had a total income of \$3,954.24 and a net surplus of \$307.78.
27. The income from grazing (93% of its income) covers the WCLHC's rent, insurance and maintenance costs.

**Maintenance**

28. The WCLHC are working closely with the Council Rangers to maintain shared assets within the licenced areas.
29. The Club owns and maintains a small shed on the corner of Happy Valley Road to store winter hay, and the old corrals opposite Carlucci-land for overnight stays or 'hospitalisation'. At the Houghton Valley site, the Club owns a club room/hayshed which is used for storage of jumping equipment.
30. The Council has recently changed access gates so they are self-closing because members of the public were leaving them open.

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

31. The WCLHC uses the land for horse grazing which is optimal use for both sites at this time given the size and limited access. The Club Committee are experienced horse owners and ensure the appropriate numbers of horses are grazing at all times. As above, the Rangers are engaging an independent farm consultant to advise on the appropriate fees to charge and numbers of horses for each site.
32. On both sites, the WCLHC have access to water through long standing agreements with neighbours or mains connection.

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

33. Council Rangers will also be working with the WCLHC to explore which areas can be retired or opened up to continue to utilise and regenerate the Reserves.
34. Existing structures are onsite and there are no plans for additional structures.
35. There are currently five horses on each site. With the two main hill paddocks and summer grounds, the WCLHC are able to rotate the grazing to keep the pasture clean and prevent overgrazing.
36. In the past there were issues with horses escaping into Tawatawa restoration area however, the WCLHC have been working with the Council Rangers to prevent this and these issues are now resolved. As mentioned above, Council has also installed self-closing gates to prevent gates being left open at the reserve accidentally.
37. Over the next three years, the WCLHC will be working with Council Rangers to plan activities such as cutting firebreaks and carry out ongoing gorse, broom, track and fence maintenance.

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

38. The WCLHC participates in community events and providing rides such as the Owhiro Bay Community Country Fair, Central Park Flats Neighbours Day, Neighbour's Day at the quarry car park and Capital Montessori open days.
39. The Club also has organised field trips/visits from Houghton Valley preschool and monthly family days during summer.
40. Club days are held on the last Sunday of the month in summer, and are usually held at the grounds on Houghton Valley. These days provide an opportunity for the community to meet/pat the horses and find out more about them. The WCLHC also provide education on horse care, safety around horses and opportunity for rides, sometimes they also offer games to engage visitors as well.
41. When the horses are being shod by the farrier, the WCLHC encourages members and the public to attend. People walking through the reserves will also stop by to pat the horses and join in at feeding times.
42. The corrals on Tawatawa Reserve have also been used for overnight stopovers for horses travelling from Auckland to Christchurch to break up the long journey and provide overnight grazing. The WCLHC have offered emergency assistance for horses where ferries have been cancelled, or issues with transport have occurred.
43. Sinclair Park is also used for grazing recovery for injured horses and club days.
44. The WCLHC also offer manure for a koha for those who use it for their gardens.

### Next Actions

45. If the recommendations in this report are accepted the following will occur:
  - Public notification / consultation of the proposed licence, in line with the Reserves Act 1977.
  - The outcome of submissions will be reported back to Committee, if necessary.
  - Negotiate and sign the Wellington City Light Horse Club licence documentation for both Sinclair Park and Tawatawa Reserve.

### Attachments

- Attachment 1. [Wellington City Light Horse Club - Sinclair Park aerial map](#)  Page 31
- Attachment 2.  [Wellington City Light Horse Club - Tawatawa Reserve aerial map](#)   Page 32

Authors	Kobie Cadle, Community Recreation Leases Advisor Kristine Ford, Community Recreation Leases Lead
Authoriser	Sarah Murray, Customer and Community Partnerships Manager Vikki Muxlow, Acting Manager Parks, Sport and Recreation Barbara McKerrow, Chief Operating Officer

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

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

All submissions received will be taken into account.

### **Treaty of Waitangi considerations**

There are no Treaty of Waitangi considerations.

### **Financial implications**

There are no significant financial considerations.

### **Policy and legislative implications**

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

### **Risks / legal**

The proposal will be subject to the Reserves Act 1977.

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

Not applicable.

### **Communications Plan**

Not applicable.

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

The lease work is entirely administrative and a normal function of Council Officers.



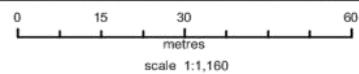
**Wellington City Light Horse Club Incorporated,**  
**0598-LIGHTHORSE - 7845sq m**

**Sinclair Park and Play Area**

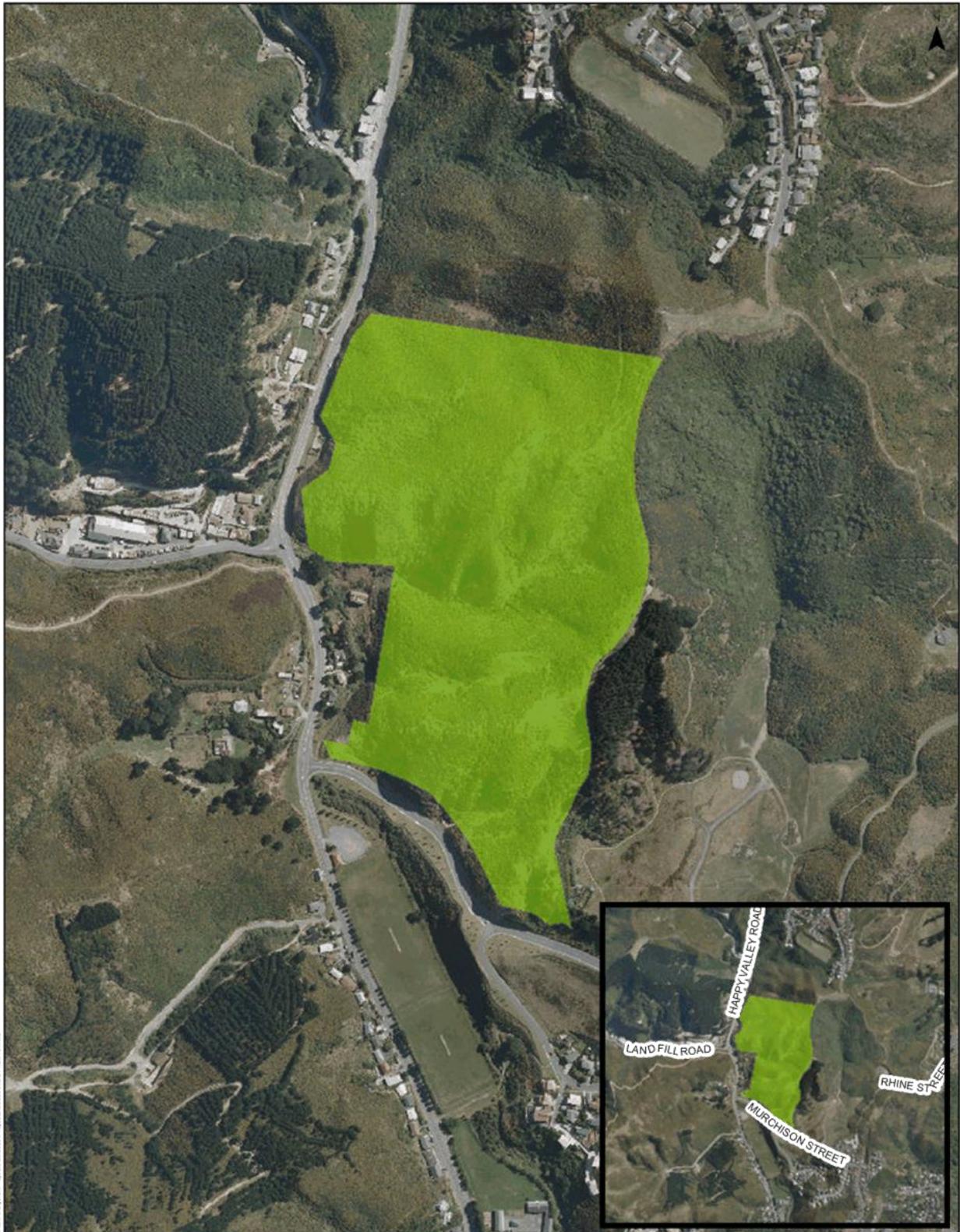
Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets, contours, 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: 31/10/2013  
 REFERENCE:



Filepath: Z:\C:\Users\james and communit@wellington.govt.nz\Documents\Projects\Users\JDP\2013\mxd



**Wellington City Light Horse Club Incorporated,  
1078-LIGHTHORSE - 181866sq m**

**Tawa Tawa Reserve**

Property boundaries, 20m Contours, road names, rail line, address & title 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.

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