
REPORT 5
(1215/52/IM)

REVOCATION OF MANNERS MALL 'PEDESTRIAN STATUS' – SPECIAL CONSULTATIVE PROCEDURE

1. Purpose of Report

To recommend to Council the commencement of a special consultative procedure to revoke the pedestrian mall status of Manners Mall.

2. Recommendations

Officers recommend that the Committee:

1. *Receive the information.*
2. *Note that on 4 June the Strategy and Policy Committee agreed to commence the revocation of the 'pedestrian mall' status of Manners Mall and noted that a special consultative procedure will be required and reported to Council to approve commencement.*
3. *Recommend to Council that it:*
 - a) *agree to initiate a special consultative procedure to revoke the pedestrian status of Manners Mall under the Local Government Act 2002 and as required by section 336 of the Local Government Act 1974;*
 - b) *approve the statement of proposal attached as an appendix and any amendments agreed at the meeting;*
 - c) *delegate to the Chief Executive any minor editorial changes to the statement of proposal arising from the meeting;*
 - d) *delegate the approval of the summary of information and its distribution in accordance with section 89 of the Local Government Act 2002 to the Chief Executive.*
4. *Note that oral hearings will be held in November and that officers will report back to SPC on 10 December with recommendations on the proposal to revoke the pedestrian status of Manners Mall.*

3. Background

At its meeting on 4 June 2009, SPC agreed to commence the revocation of the pedestrian status of Manners Mall and noted that a special consultative procedure would be required and reported to Council to approve commencement.

The special consultative procedure required to revoke the 'pedestrian mall' status, and reopen Manners Mall to buses is set out in the Local Government Act 2002 and the Local Government Act 1974.

The legal requirements for a special consultative procedure provide that the following steps must be taken prior to Council making a decision:

- A Council resolution to initiate the process;
- A statement of proposal setting out the reasons for the proposal, an analysis of reasonably practicable options, and any other relevant information;
- A summary of information which sets out the major matters in the statement of proposal (this normally takes the form of a brochure);
- Public notice of the proposal;
- A consultation / submission period of at least one month;
- An opportunity for submitters to be heard by the Council.

There is also a right of appeal by anyone against the decision to the Environment Court.

A design briefing with Councillors was held on 3 September. The feedback from that briefing has been included in the design proposals for the special consultative procedure.

4. Discussion

4.1 Timeline

The proposed timetable for the completion of the consultation is as follows:

Timeline	Date
Council decision to commence special consultative procedure	17 September
Issue public notice regarding commencement of consultation	29 September
Consultation / submission period	29 September to 30 October
Hear oral submissions	Commence 9 November
Officer report back to SPC on special consultative procedure	10 December
Council decision on proposal to revoke pedestrian mall status	11 December

4.2 Documentation for Special Consultative Procedure

The Council is required to prepare a statement of proposal setting out the reasons for the proposal, analysis of reasonably practicable options, and any other relevant information. The statement of proposal is attached as an appendix. The statement of proposal includes a design package setting out details of the proposal and impressions of how it would look and function. Councillor feedback and decisions from the briefing on 3 September have been incorporated into this package. It should be noted that the layout and design of the statement of proposal and summary of information form will be completed prior to the commencement of consultation.

It is proposed that a two lane roadway be constructed through Manners Mall providing for buses to travel in both directions. Wide footpaths would be constructed on either side of the roadway to cater for the high volumes of pedestrians that will continue to use this route. The layout of Manners Mall would be similar in character and dimensions to the section of Manners Street between the current Manners Mall and Willis Street. It is also intended to develop lower Cuba Street as a shared pedestrian space to compensate for the loss of public space in Manners Mall caused by opening it to bus traffic. A draft concept plan for the area bounded by Willis Street, Wakefield Street, Taranaki Street and Dixon Street is included in the statement of proposal outlining how Manners Mall and lower Cuba Street would look and function.

Officers will prepare a summary of information which sets out the major matters in the statement of proposal. This will take the form of a brochure and will be widely distributed. It is recommended that Council delegate the responsibility for the approval of this document to the Chief Executive. Legally this must be based on the statement of proposal and contain no new information.

4.3 Consultation Plan

The statement of proposal and a summary of information, both with submission forms, will be produced and a range of methods used to promote the consultation. These include posters for local shops, buses, libraries; hand delivered information packs with the statement of proposal, summary of information and a cover letter to all affected residents/businesses in Manners Mall and lower Cuba Street; a copy of the summary of information to all submitters on the Golden Mile proposals; radio, print and online advertising; website information and online submission form; Our Wellington Page stories; information sign in Manners Mall; media briefing when consultation starts; and news release during the consultation.

5. Conclusion

It is recommended that the Committee agree the attached statement of proposal and the proposal to initiate a special consultative procedure and recommend to Council that it initiate a special consultative procedure to revoke the pedestrian status of Manners Mall.

Contact Officer: *Greg Campbell, Principal Transport Advisor*

Supporting Information

1) Strategic Fit / Strategic Outcome

This proposal is strongly supported by the Council Transport and Urban Development Strategies and the Ngauranga-Airport Plan.

2) LTCCP/Annual Plan reference and long term financial impact

Funding for these proposals is contained in the LTCCP, 2009-19.

3) Treaty of Waitangi considerations

There are no known Treaty issues.

4) Decision-Making

The proposal to revoke the pedestrian status of Manners Mall is a significant decision that will have long term effects on the city. The consultation and decision-making process will be undertaken in accordance with the requirements of the Local Government Acts 1974 and 2002.

5) Consultation

a) General Consultation

This report sets out proposals for a special consultative procedure.

b) Consultation with Maori

Consultation with Maori will be undertaken during the consultation period.

6) Legal Implications

Council's lawyers have been consulted during the development of this report.

7) Consistency with existing policy

This proposal is fully consistent with Council policies on bus priority and transport network management