

**ORDINARY MEETING**

**OF**

**REGULATORY PROCESSES COMMITTEE**

**AGENDA**

**Time:** 9:30am  
**Date:** Wednesday, 11 October 2017  
**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 803-8334, emailing [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz) or writing to Democratic Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number and the issue you would like to talk about.*

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## **AREA OF FOCUS**

The Regulatory Processes Committee has responsibility for overseeing 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

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## **1 Meeting Conduct**

### **1.1 Apologies**

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

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

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

### **1.3 Confirmation of Minutes**

The minutes of the meeting held on 13 September 2017 will be put to the Regulatory Processes Committee for confirmation.

### **1.4 Public Participation**

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

### **1.5 Items not on the Agenda**

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

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

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

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

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



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## **2. General Business**

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### **ROAD CLOSURES**

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#### **Purpose**

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

#### **Summary**

2. The Wellington City Council has received applications from event organisers for approval of road closures for the following events:
  - Khandallah Fair
  - Night Market Lantern Festival.

#### **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 for the above events to vehicles and cycles only, subject to the conditions listed in the Proposed Temporary Road Closure Impact Report:
  - i. Ganges Road (from Agra Crescent to Dekka Street), on Sunday 10 December 2017, from 6:00am to 6:00pm, for the Khandallah Fair
  - ii. Lower Cuba Street (between Manners Street and Wakefield Street) and Manners Street (between Taranaki Street and Cuba Street except buses), on Friday 16 February 2017, from 4:00pm to 12:00midnight, and Saturday 17 February 2017, from 12:00noon to 11:00pm, for the Night Market Lantern Festival.

#### **Background**

3. The Council receives numerous requests throughout the year for public roads to be closed for events. These requests are processed and a detailed traffic impact report is prepared for each as attached. This report to the Committee has been prepared, in accordance with the procedures that were approved by the committee on 15 December 2010.

Approval is required from the Regulatory Processes Committee to allow the temporary closure of roads in the Wellington District for an event supported by the Wellington

City Council. 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**

4. N/A

### **Options**

5. N/A

### **Next Actions**

6. N/A

### **Attachments**

Attachment 1. Khandallah Fair Page 10  
Attachment 2. Night Market Lantern Festival Page 15

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 requested the public to make submissions on the proposed road closures.

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

### **Treaty of Waitangi considerations**

There are no treaty implications

### **Financial implications**

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

### **Policy and legislative implications**

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

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

### **Risks / legal**

N/A

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

N/A

### **Communications Plan**

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

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

A Health and Safety Management Plan is required as part of the event planning and approval process.

**REGULATORY PROCESSES COMMITTEE**

**PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT**

***KHANDALLAH FAIR  
SUNDAY 10 DECEMBER 2017***

**1. Description of Event**

Rotary Kaukau is Wellington's newest Rotary club. Chartered in 2016 Rotary Kaukau is a progressive, family-friendly Rotary club focussed on helping both the local community and wider international Rotary causes. Our club members are dedicated professionals who share a passion for community service.

The clubs aim for the year is "to become connected and relevant to both our members and the community we support". They are therefore extremely excited to be putting this event together for their local community and would love to see as many people there as possible.

They envisage the Khandallah Village Street Fair being held annually as the club's flagship fundraising event.

To hold the event it is proposed to close **Ganges Road (from Agra Crescent to Dekka Street), on Sunday 10 December 2017, from 6.00am to 6.00pm.**

Road closure notification boards will be installed at least one week prior to the event.

Residents and local businesses will receive two letter drops (one letter in November and one letter in early December) advising them of the event and the road closure.

The event will be managed by a qualified temporary traffic management company. Pedestrian access will not be restricted and emergency services will have immediate access to the area if required.

**2. Events Directorate Support**

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

**3. Proposal Notice and Consultation**

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

Dominion Post on Saturday 16 September 2017

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

The proposed road closure for this event will not result in the road being closed for an aggregate of more than 31 days in any year.

##### Traffic Impact

In the opinion of Stephen Harte Implement Manager Network Improvements acting as the Council's Traffic Engineer, the proposed closure, if implemented according to the plans provided, is not likely to impede traffic unreasonably subject to the conditions stated 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 Temporary Road Closures Subcommittee may be revoked and the event organiser may be required to re-open the road at the direction of a suitably qualified Council officer in charge of traffic.

##### Conditions:

- The road closures will start at 6.00am and finish at 6.00pm.
- The event organiser is to obtain Council approval on the details of a traffic management plan prior to the event.
- The detour route is to be clearly signed during road closures.
- No vehicular traffic will be allowed within the road closure area, except for marshalled stallholders travelling at no more than walking speed (3km/h), to ensure public safety is not compromised.
- The event organiser will publicise the event via media releases, letter drops and advanced signage to notify the public of the road closures.
- The event organiser is to advertise the event in the Wellingtonian the Thursday before the event and send a copy to the Council.
- The event organiser is responsible for the ongoing maintenance of the temporary traffic management plan during the road closures.
- The event organiser is to consult and gain approval from the emergency services on the road closure and provide access for emergency vehicles.

Signed .....

  
Stephen Harte  
Implement Manager Network Improvements

#### Attachments

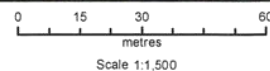
- Map of proposed closure
- Copy of proposal notice from the newspaper

Prepared By: Maria Taumaa.....  
Street Activities Coordinator





**Khandallah Fair 2017**  
Sunday 10 December 2017



Property boundaries, 20m Contours, road names, rail line, address & fire points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-50m 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: taumaa2m  
DATE: 25/09/2017  
REFERENCE:

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

Dominion Post

September 2, 2017

## Proposal to Close Roads

The Regulatory Processes Committee will meet on Wednesday 11 October 2017 to consider the following temporary road closures for events.

### Khandallah Fair

**Sunday 10 December 2017**

Road Closed 6am to 6pm

Ganges Road (Agra Crescent Dekka Street)

Any person objecting to a proposed road closure must contact the City Council in writing before 4pm, Friday 15 September 2017. Please send correspondence to Maria Taumaa at mailing address below, by fax 801 3009 or by email [maria.taumaa@wcc.govt.nz](mailto:maria.taumaa@wcc.govt.nz)

#### Wellington City Council

101 Wakefield Street  
PO Box 2199, Wellington 6140  
[Wellington.govt.nz](http://Wellington.govt.nz)

Absolutely Positively  
**Wellington City Council**

Me Heke Ki Pōneke

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**REGULATORY PROCESSES COMMITTEE**

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

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**PROPOSED TEMPORARY ROAD CLOSURE – IMPACT REPORT**

**WELLINGTON NIGHT MARKET**  
**FRIDAY 16 FEBRUARY 2018 4PM TO 12MIDNIGHT**  
**SATURDAY 17 FEBRUARY 2018 12MIDDAY TO 11PM**

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**1. Description of Event**

The Coolest Street in Wellington, in the Coolest Capital of the World.  
On February 16 and 17 February 2018, Wellington Night Market will transfer Lower Cuba Street again into a wonderland lined with lanterns. This is a two-day celebration of Chinese New Year and the only Lantern Festival in Wellington region with an anticipated foot traffic of forty thousand.

Hundreds of handmade lanterns will light up the iconic street, including 6 life-size sculptured lanterns in the form of a dragon, peacock, panda, parrots, florists, and even a kiwi.

Significant planning goes into ensuring the event is fresh and different each year, with contemporary Wellingtonian elements introduced alongside the traditional cultural roots of the festival. There will be over 50 music and dance performances, art and crafts and so much more.  
There is a range of activities for all ages, and more than 50 local food stalls to enjoy.

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To accommodate the event it is proposed to close:

**Lower Cuba Street** (between Manners and Wakefield Street)  
**Manners Street** (between Taranaki Street and Cuba Street)  
**Friday 16 February 2018 4pm to 12midnight**  
**Saturday 17 February 2018 12Midday to 11pm** including set up and break down.

Road closure notification boards will be placed at each end of the closure at least one week prior to the event.

The event will be managed by a qualified temporary traffic management company. Pedestrians access will not be restricted and emergency services will have immediate access to the area if required.

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**2. Events Directorate Support**

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

**3. Proposal Notice and Consultation**

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

Dominion Post Saturday 16 September 2017.

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**

Lower Cuba Street has been closed each Saturday from 3pm to 11.30pm for the past two years to accommodate the Night Market. This has caused little disruption to the traffic and buses. Lower Cuba Street, at its inception, was designed as a place for events, street markets and the like. Lower Cuba Street is not regarded as an important link in the city's roading network and merely provides access to local parking and servicing. In this regard Lower Cuba Street can be closed more frequently than is anticipated by clause 11(e), section 10 of the LGA 1974.

So using clause 11(d) of this section we are recommending that traffic be diverted from Lower Cuba Street and Manners Street (between Taranaki and Cuba Street) on Friday and Saturday as proposed with exception being buses.

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##### **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 an approved traffic management plan, is not likely to impede traffic unreasonably subject to the conditions listed below. However, the Council reserves the right to modify this opinion at any time. If, in the opinion of the Council, the closure may or does impede traffic unreasonably, any approval granted by the Regulatory Processes Committee may be revoked and the event organiser may be required to open the road at the direction of a suitably qualified Council officer in charge of traffic.

##### **Conditions:**

- The road closures will start and finish as proposed on the Friday and Saturday. The event organiser is to obtain Council approval on the details of a traffic management plan prior to the event.
- A detour route is to be clearly signed during the road closure.
- Only authorised vehicles will be allowed within the road closure area, travelling at no more than Walking speed (3km/h) to ensure public safety is not compromised.
- The event organiser will publicise the event via media releases, letter drops and advanced signage to notify the public of the road closures. The event organiser is responsible for the ongoing maintenance of the temporary traffic management plan during the road closures.




- The event organiser is to advertise the road closure in the Wellingtonian on the Thursday before the event. (send a copy to the council)
- The event organiser is to ensure buses are able to enter Manners St during the road closure timeframe.
- The event organiser is responsible for maintaining public safety within the road closure area.
- The event organiser is to consult and gain approval from the emergency services on the road closure and provide access for emergency vehicles.

Signed .....  .....

Stephen Harte  
Implementation Manager, Network Improvements

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 11 October 2017 to consider the following temporary road closures for events.

### **Night Market Lantern Festival Road Closure**

Friday 16th February 2018 4pm to 12am  
Saturday 17th February 2018 12pm to 11pm

Manners Street (Taranaki to Cuba)  
Cuba Street (Manners Street to Wakefield Street)  
Manners Street (Taranaki St to Cuba St)

Buses will have access at all times  
Retailers and Residents will have access to Manners Street.

Any person objecting to a proposed road closure must contact the City Council in writing before 4pm, Friday 29 September 2018. Please send correspondence to Maria Taumaa at mailing address below, by fax 801 3009 or by email [maria.taumaa@wcc.govt.nz](mailto:maria.taumaa@wcc.govt.nz)

**Wellington City Council**  
101 Wakefield Street  
PO Box 2199, Wellington 6140  
[Wellington.govt.nz](http://Wellington.govt.nz)

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

**Dominion Post**

**September 16, 2017**



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## **ANNUAL REPORT OF ALCOHOL LICENSING INCOME AND COSTS**

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### **Purpose**

1. Regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 requires every territorial authority to prepare and make publicly available a report showing its income from fees payable in relation to, and its costs incurred in:
  - (a) The performance of the functions of its Licensing Committee under the Act; and
  - (b) The performance of its functions of its inspectors under the Act;
  - (c) The first report required by this regulation must relate to the year commencing 1 July 2014

### **Summary**

2. This report covers 3 successive reporting years commencing 1 July 2014. Subsequent reports will be annual
3. Future annual reports will be completed within the first quarter of the following financial year.

### **Recommendation/s**

That the Regulatory Processes Committee:

1. Receive the information.
2. Adopt the annual report of alcohol licensing income and costs incurred in:
  - (a) The performance of the functions of its Licensing Committee under the Act; and
  - (b) The performance of its functions of its inspectors under the Act;
  - (c) The first report required by this regulation must relate to the year commencing 1 July 2014.

### **Background**

4. Default licensing fees are set by the Ministry of Justice. All territorial authorities must use these default fees unless they have an alcohol fees bylaw in place. Wellington City Council does not currently have an alcohol fees bylaw in place.
5. It is likely that this report will be reviewed as part of the Ministry of Justice's national review of alcohol licensing fees.

### **Discussion**

6. N/A

### **Options**

7. N/A

### **Next Actions**

8. N/A

**Attachments**

Attachment 1. Alcohol Annual Report 2015-2017

Page 24

Author	Helen Jones, Manager Public Health Group
Authoriser	Barbara McKerrow, Chief Operating Officer

Item 2.2

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

This is a financial report, therefore engagement and consultation is not necessary.

### **Treaty of Waitangi considerations**

Not relevant to this report

### **Financial implications**

This report is likely to be considered as part of the Ministry of Justice's review of the national default licensing fees. The findings of the review may result in an increase or decrease of the default fees. If these fees are amended, Council may subsequently wish to consider setting a local alcohol fees bylaw.

### **Policy and legislative implications**

This report is a legislative requirement under the Sale and Supply of Alcohol Act 2012

### **Risks / legal**

This report poses no risk or legal implications.

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

Not relevant to this report

### **Communications Plan**

If adopted, this report will be made publicly available via the Wellington City Council public website.

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

Not relevant to this Report.

**Wellington City Council**

**Annual report of alcohol licensing income and costs for the years:**

- 1<sup>st</sup> July 2014 to 30<sup>th</sup> June 2015
- 1<sup>st</sup> July 2015 to 30<sup>th</sup> June 2016
- 1<sup>st</sup> July 2016 to 30<sup>th</sup> June 2017

Regulation 19 of the Sale and Supply of Alcohol (fees) Regulations 2013 requires that:

- (1) Every territorial authority must, each year, prepare and make publicly available a report showing its income from fees payable in relation to, and its costs incurred in,
- (a) The performance of the functions of its Licensing Committee under the Act; and
  - (b) The performance of its functions of its inspectors under the Act;
  - (c) The first report required by this regulation must relate to the year commencing 1 July 2014

**The income and costs for Wellington City Council for these periods are as follows:**

For the period 1<sup>st</sup> July 2014 to 30<sup>th</sup> June 2015:

Total fees received	996,735
Fees passed to ARLA*	63,350
<b>Fees retained by Council</b>	<b>933,385</b>
Cost of performance of the DLC functions	210,713
Cost of performance of inspectors functions	336,342
Administrative support and overhead costs	492,411
<b>Total cost to council</b>	<b>1,039,466</b>

For the period 1<sup>st</sup> July 2015 to 30<sup>th</sup> June 2016:

Total fees received	1,088,663
Fees passed to ARLA*	76,255
<b>Fees retained by Council</b>	<b>1,012,408</b>
Cost of performance of the DLC functions	245,977
Cost of performance of inspectors functions	309,193
Administrative support and overhead costs	543,538
<b>Total cost to Council</b>	<b>1,098,708</b>



For the period 1<sup>st</sup> July 2016 to 30<sup>th</sup> June 2017:

Total fees received	1,045,997
Fees passed to ARLA*	83,480
<b>Fees retained by Council</b>	<b>962,517</b>
Cost of performance of the DLC functions	240,836
Cost of performance of inspectors functions	305,507
Administrative support and overhead costs	458,352
<b>Total cost to Council</b>	<b>1,004,696</b>

\*Alcohol Regulatory Licensing Authority