



# AGENDA

**Extraordinary meeting of the**

**Hearings Panel – Other**

**Tuesday 15 November 2016  
Commencing at 9am  
Council Chamber  
Floor 2B, Civic House  
110 Trafalgar Street, Nelson**

Membership: Councillor Ian Barker (Chairperson) and Councillor Brian McGurk

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Orders:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)
- It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the table for discussion and voting on any of these items.

**1. Confirmation of Order of Business****2. Interests**

2.1 Updates to the Interests Register

2.2 Identify any conflicts of interest in the agenda

**3. Public Forum****4. Temporary Road Closures (Twilight Christmas Market, Christmas Carols by Candlelight, Trafalgar Street Market Day and Big Bang Festival)****5 - 18**

Document number A1658506

Recommendation

***That the Panel******Receives the report Temporary Road Closures (Twilight Christmas Market, Christmas Carols by Candlelight, Trafalgar Street Market Day and Big Bang Festival) (A1658506) and its attachment (A1658620); and******Approves/declines the application for the temporary road closure for the Twilight Christmas Market on Thursday 15 December 2016; and******Approves/declines the application for the temporary road closures for the Christmas Carols by Candlelight on Saturday 24 December 2016; and***

**Approves/declines the application for the temporary road closure for the Trafalgar Street Market Day on Saturday 4 February 2017; and**

**Approves/declines the application for the temporary road closure for the Big Bang Festival on Saturday 4 March 2017.**

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## **Temporary Road Closures (Twilight Christmas Market, Christmas Carols by Candlelight, Trafalgar Street Market Day and Big Bang Festival)**

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### **1. Purpose of Report**

For the Hearings Panel to approve/decline the temporary road closure applications for the following events:

- Twilight Christmas Market on Thursday 15 December 2016 (RC 16-030)
- Christmas Carols by Candlelight on Saturday 24 December 2016 (RC 16-029)
- Trafalgar Street Market Day on Saturday 4 February 2017 (RC 16-022)
- Big Bang Festival on Saturday 4 March 2017 (RC 16-016)

### **2. Recommendation**

It is recommended:

***That the Panel***

***Receives the report Temporary Road Closures (Twilight Christmas Market, Christmas Carols by Candlelight, Trafalgar Street Market Day and Big Bang Festival) (A1658506) and its attachment (A1658620); and***

***Approves/declines the application for the temporary road closure for the Twilight Christmas Market on Thursday 15 December 2016; and***

***Approves/declines the application for the temporary road closures for the Christmas Carols by Candlelight on Saturday 24 December 2016; and***

**Approves/declines the application for the temporary road closure for the Trafalgar Street Market Day on Saturday 4 February 2017; and**

**Approves/declines the application for the temporary road closure for the Big Bang Festival on Saturday 4 March 2017.**

### **3. Background**

- 3.1 It is a requirement that temporary road closures made under Schedule 10 Clause 11(e) of the Local Government Act 1974 come to the Hearings Panel - Other for approval.
- 3.2 Council resolution of 19 March 2015 delegated authority to consider and determine applications for temporary road closures made under Schedule 10 Clause 11(e) of the Local Government Act 1974 to the Hearings Panel – Other.

### **4. Discussion**

#### **Twilight Christmas Market**

- 4.1 On 28 September 2016 an application was received for the temporary closure of Morrison Street from 2 pm until 9:30 pm on Thursday 15 December 2016 for the Twilight Christmas Market.
- 4.2 The Twilight Christmas Market is a joint venture between Morrison Square, Uniquely Nelson and Nelson stall holders to raise funds for Community Art Works, an organisation that provides access to visual and performing arts for those who are disadvantaged.
- 4.3 This closure is detailed in Figure 1 of Attachment 1 (the advertisement placed in the Nelson Mail). A map of the closure is Figure 2 of Attachment 1.
- 4.4 Council officers placed an advertisement in the Nelson Mail on Wednesday 12 October 2016 informing of the proposed closure and asking for written feedback by Thursday 21 October 2016. (See Figure 1 of Attachment 1.) The organiser distributed this advertisement to directly affected businesses by Tuesday 11 October 2016. No feedback was received.
- 4.5 There will be no amplified sound on road reserve, so no noise consent is necessary for the approval of this road closure application.
- 4.6 The Police have approved of the closure.
- 4.7 The applicant has shown evidence of adequate public liability insurance.
- 4.8 Emergency access to all areas of the closed road will be provided at all times.

- 4.9 Council officers are working with the applicant about the required Traffic Management Plan.
- 4.10 Council officers recommend that this application be approved.

### **Christmas Carols by Candlelight**

- 4.11 As in past years, Council officers initiated an application for temporary road closures of Trafalgar Street and Selwyn Place from 7:30 pm until 10:30 pm on Christmas Eve for the Christmas Carols by Candlelight event.
- 4.12 The Christmas Carols by Candlelight event is a long-running Nelson fixture. No complaints have been received about this in recent years.
- 4.13 As in past years, road closures and traffic management for this event have been funded by Council from the Christmas / New Year road closure budget (this year that budget is GL 5002-2310-0435).
- 4.14 These closures are detailed in Figure 3 of Attachment 1 (the advertisement placed in the Nelson Mail). A map of the closures is Figure 4 of Attachment 1.
- 4.15 Council officers placed an advertisement in the Nelson Mail on Wednesday 12 October 2016 informing of the proposed closures and asking for written feedback by Friday 21 October 2016. (See Figure 3 of Attachment 1.) Staff arranged for this advertisement to be distributed to affected businesses by Friday 14 October 2016. No feedback was received.
- 4.16 This event will be covered by Council's Global Events Consent (RM115245) for noise.
- 4.17 The Police have approved of the closures.
- 4.18 Council officers are working on a Traffic Management Plan.
- 4.19 Council's public liability insurance will cover this event.
- 4.20 Emergency access to all areas of the closed roads will be provided at all times.
- 4.21 Council officers recommend that this application be approved.

### **Trafalgar Street Market Day**

- 4.22 On 21 July 2016 an application was received for the temporary closure of Trafalgar Street between Bridge Street and Hardy Street from 5 am until 5 pm on Saturday 4 February 2017 for the Trafalgar Street Market Day.
- 4.23 The Trafalgar Street Market Day is an opportunity for local businesses to operate a market on the road. This event has run for a number of years. No complaints about the closures for this event have been received in the past.

- 4.24 This closure is detailed in Figure 5 of Attachment 1 (the advertisement placed in the Nelson Mail). A map of the closure is Figure 6 of Attachment 1.
- 4.25 This event will run at the same time as the Busker's Festival, which will close Trafalgar Street between Hardy Street and Selwyn Place. This is by arrangement.
- 4.26 Council officers placed an advertisement in the Nelson Mail on Saturday 8 October 2016 informing of the proposed closures and asking for written feedback by Friday 14 October 2016. (See Figure 5 of Attachment 1.) The organiser distributed this advertisement to directly affected businesses on Tuesday 4 October 2016. No feedback was received.
- 4.27 There will be no amplified sound on road reserve, so no noise consent is necessary for the approval of this road closure application.
- 4.28 The Police have approved of the closure.
- 4.29 Emergency access to all areas of the closed roads will be provided at all times.
- 4.30 The applicant has shown evidence of adequate public liability insurance
- 4.31 Council officers are working with the applicant about the required Traffic Management Plan.
- 4.32 Council officers recommend that this application be approved.

### **Big Bang Festival**

- 4.33 On 19 July 2016 an application was received for the temporary closure of Trafalgar Street between Hardy Street and Selwyn Place from 9 am until 4 pm on Saturday 4 March 2017 for the Big Bang Festival.
- 4.34 The Big Bang Festival is a festival involving percussion groups and choirs of various ethnic groups based in Nelson to raise awareness of fair trade. This event was successfully held in March 2016 in the same location. No complaints about the road closure at that time were received.
- 4.35 These closures are detailed in Figure 7 of Attachment 1 (the advertisement placed in the Nelson Mail). A map of the closure is Figure 8 of Attachment 1.
- 4.36 Council officers placed an advertisement in the Nelson Mail on Saturday 8 October 2016 informing of the proposed closures and asking for written feedback by Friday 14 October 2016. (See Figure 7 of Attachment 1.) The organiser distributed this advertisement to affected businesses on Thursday 6 October 2016. No feedback was received.
- 4.37 A noise consent is required for this event. The organiser will seek the consent closer to the time if the road closure application is approved.



- 4.38 The Police have approved of the closure.
- 4.39 Emergency access to all areas of the closed road will be provided at all times.
- 4.40 The applicant has provided evidence of adequate public liability insurance.
- 4.41 Council officers are working with the applicant about the required Traffic Management Plan.
- 4.42 Council officers recommend that this application be approved.

## **5. Options**

- 5.1 The Hearings Panel has two options, either to allow or decline the temporary road closure applications.

## **6. Conclusion**

- 6.1 This report covers four temporary road closure applications.

Troy Chapman

**Road Network Coordinator**

## **Attachments**

Attachment 1 A1658620 – Maps and advertisements for four closure applications

<b>Important considerations for decision making</b>
<p><b>1. Fit with Purpose of Local Government</b></p> <p>The Local Government Act 1974 Schedule 10 confirms that approvals for temporary road closures for event-related activities lie with Council.</p>
<p><b>2. Consistency with Community Outcomes and Council Policy</b></p> <p>The recommendations outlined in this report are directly aligned to the requirements of:</p> <ul style="list-style-type: none"> <li>• The Local Government Act 1974, Schedule 10, Temporary Prohibition of Traffic</li> <li>• The Local Government Act 2002, Clause 78, Community Views in Relation to Decisions</li> </ul> <p>The Hearings Panel may wish to consider the application(s) in the context of the attractiveness and vibrancy they add to Nelson for its residents.</p>
<p><b>3. Risk</b></p> <p>To ensure that Council meets its obligations under the Local Government Act 1974 and that it is not challenged legally by any temporary road closure applicant, it is important that the Panel decides whether to approve or decline the application(s).</p>
<p><b>4. Financial impact</b></p> <p>There is no financial impact to Council.</p>
<p><b>5. Degree of significance and level of engagement</b></p> <p>The recommendations outlined in this report are not considered significant in terms of Council's Significance and Engagement Policy.</p>
<p><b>6. Inclusion of Māori in the decision making process</b></p> <p>Maori have not been consulted in the processing of the specific temporary road closure applications considered in this report.</p>
<p><b>7. Delegations</b></p> <p>The Council resolution of 19 March 2015 delegated authority to consider and determine temporary road closure applications made under Schedule 10 Clause 11(e) of the Local Government Act 1974 to the Hearings Panel – Other.</p>

**PROPOSED TEMPORARY ROAD CLOSURE**  
**MORRISON STREET**

Pursuant to the Local Government Act 1974, notice is hereby given that Morrison Square, Uniquely Nelson and the Farmer's Market propose to temporarily close **MORRISON STREET** to ordinary vehicle traffic for the **Twilight Christmas Market**. It will be an offence under this Act for any person without an authorised permit to use the road for ordinary vehicle traffic during the period of closure.

The closure: **MORRISON STREET** from Hardy Street to Selwyn Place from 2:00pm until 9.30pm on Thursday 15 December 2016.

Any person wishing to give feedback about this closure is requested to do so in writing by Thursday 21 October 2016, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email [enquiries@ncc.govt.nz](mailto:enquiries@ncc.govt.nz). The final decision of whether the road will be closed will be advertised on Council's website at [www.nelson.govt.nz](http://www.nelson.govt.nz).

Nelson City Council thanks the public for its patience and understanding.

Clare Hadley

Chief Executive

*Figure 1—Advertisement for the Twilight Christmas Market*

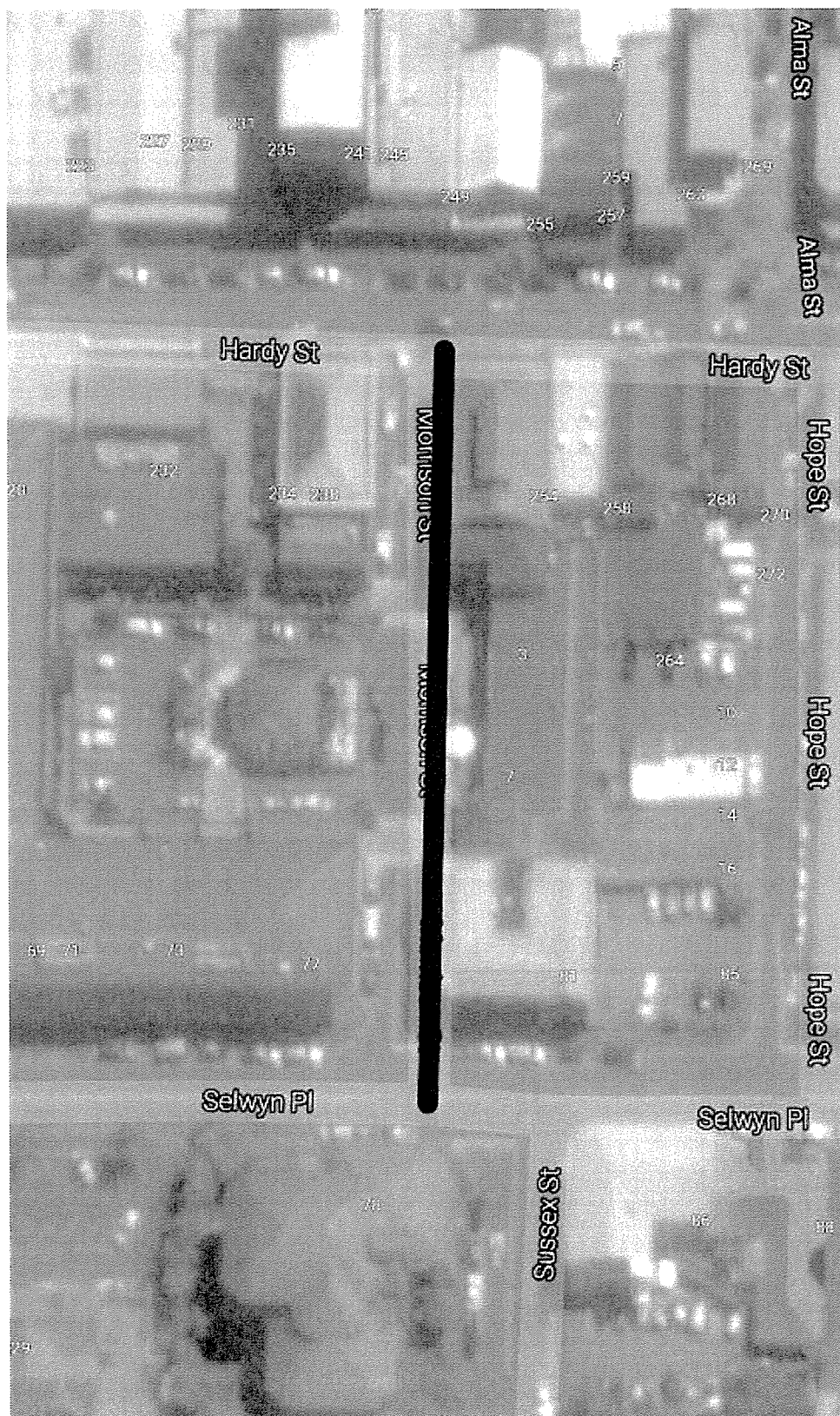


Figure 2—Map of the Road Closure for the Twilight Christmas Market

## **PROPOSED TEMPORARY ROAD CLOSURES**

### **TRAFALGAR STREET, SELWYN PLACE**

Pursuant to the Local Government Act 1974, notice is hereby given that Nelson City Council proposes to temporarily close the following roads to ordinary vehicle traffic. It will be an offence under this Act for any persons without an authorised permit to use the roads for ordinary vehicle traffic during the period of closure. The roads to be closed:

- Trafalgar Street, from Hardy Street to Selwyn Place
- Selwyn Place, from Trafalgar Square West to Trafalgar Square East

Time of closure: Saturday 24 December 2016, from 7:30 pm until 10:30 pm

This closure is for the Christmas Carols by Candlelight event.

Any person wishing to give feedback about this closure is requested to do so in writing by Friday 21 October 2016, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email [enquiries@ncc.govt.nz](mailto:enquiries@ncc.govt.nz). The final decision of whether the road will be closed will be advertised on Council's website at [www.nelson.govt.nz](http://www.nelson.govt.nz).

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*Figure 3— Advertisement for the Christmas Carols by Candlelight*





Figure 4—Map of Road Closures for the Christmas Carols by Candlelight

## PROPOSED TEMPORARY ROAD CLOSURE

### TRAFALGAR STREET

Pursuant to the Local Government Act 1974, notice is hereby given that Uniquely Nelson proposes to temporarily close the following road to ordinary vehicle traffic for the **Trafalgar Street Market Day**. It will be an offence under this Act for any persons without an authorised permit to use the road for ordinary vehicle traffic during the period of closure.

Time of closure: Saturday 4 February 2017 from 5 am until 5 pm

The road to be closed:

- Trafalgar Street from Bridge Street to Hardy Street

This event runs at the same time as the Busker's Festival, which proposes to close Trafalgar Street from Hardy Street to Selwyn Place from 8 am on the Saturday until midnight Sunday 5 February 2017.

Hardy Street at the Trafalgar Street intersection will remain open at all times.

Any person wishing to give feedback about this closure is requested to do so in writing by Friday 14 October 2016, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email [enquiries@ncc.govt.nz](mailto:enquiries@ncc.govt.nz). The final decision of whether the road will be closed will be advertised on Council's website at [www.nelson.govt.nz](http://www.nelson.govt.nz).

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*Figure 5—Advertisement for the Trafalgar Street Market Day*



Figure 6—Map of the Road Closure for the Trafalgar Street Market Day



## PROPOSED TEMPORARY ROAD CLOSURE

### TRAFALGAR STREET

Pursuant to the Local Government Act 1974, notice is hereby given that Fair Trade Nelson proposes to temporarily close the following road to ordinary vehicle traffic for the **Big Bang Festival**. It will be an offence under this Act for any persons without an authorised permit to use the road for ordinary vehicle traffic during the period of closure. The road to be closed:

- Trafalgar Street, from Selwyn Place to Hardy Street

Time of closure: Saturday 4 March 2017, from 9 am until 4 pm

Any person wishing to give feedback about this closure is requested to do so in writing before Friday 14 October 2016, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email [enquiries@ncc.govt.nz](mailto:enquiries@ncc.govt.nz). The final decision of whether the road will be closed will be advertised on the Council's website at [www.nelson.govt.nz](http://www.nelson.govt.nz).

Nelson City Council thanks the public for its patience and understanding.

Clare Hadley

Chief Executive

*Figure 7—Advertisement for the Big Bang Festival*

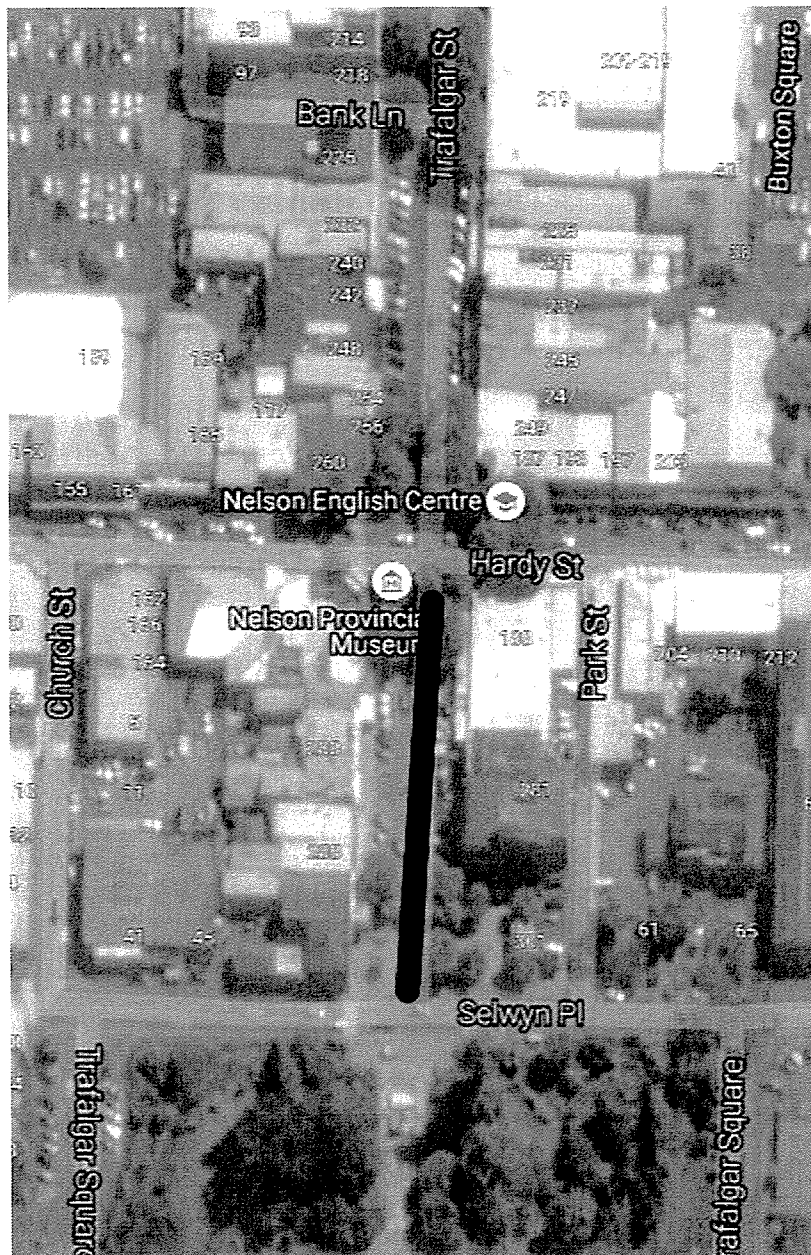


Figure 8—Map of the Road Closures for the Big Bang Festival