



AGENDA

Ordinary meeting of the

Hearings Panel - Other

Tuesday 28 February 2017

Commencing at 8.30am

Ruma Marama

Floor 2A, Civic House

110 Trafalgar Street, Nelson

Membership: Councillor Paul Matheson (Chairperson) and Councillor Tim Skinner

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 (Port Nelson Open Day and Stopping Distance Demonstrations)**

Document number A1711600

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Recommendation:

That the Panel***Receives the report Temporary Road Closures (Port Nelson Open Day and Stopping Distance Demonstrations) (A1711600) and its attachments (A1711933 & A1712081); and******Approves/declines the application for the temporary road closures for the Port Nelson Open Day on Saturday-Sunday 4-5 March 2017; and******Approves/declines the application for the temporary road closures for the stopping distance demonstrations on Monday-Thursday 6-9 March 2017.***

Temporary Road Closures (Port Nelson Open Day and Stopping Distance Demonstrations)

1. Purpose of Report

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

- The Port Nelson Open Day on Saturday-Sunday 4-5 March 2017 (RC 17-000)
- Stopping distance demonstrations from Monday-Thursday 6-9 March 2017 (RC 16-049)

2. Recommendation

That the Panel

Receives the report Temporary Road Closures (Port Nelson Open Day and Stopping Distance Demonstrations) (A1711600) and its attachments (A1711933 & A1712081); and

Approves/declines the application for the temporary road closures for the Port Nelson Open Day on Saturday-Sunday 4-5 March 2017; and

Approves/declines the application for the temporary road closures for the stopping distance demonstrations on Monday-Thursday 6-9 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

Port Nelson Open Day

- 4.1 On 24 January 2017 an application was received for the temporary closure of Low Street from Wildman Avenue to 75 m south of Carkeek Street for the Port Nelson Open Day. The closure will occur from 11 am until 5 pm on Saturday 4 March 2017, and from 8 am until 6 pm on Sunday 5 March 2017.
- 4.2 The Port Nelson Open Day enables the community to visit and view the inner workings of Nelson's port, an area which at all other times is under strict security controls and is accessible only to port staff and contractors. It is expected that 3,000 people will attend over the two event days.
- 4.3 The Port Nelson Open Day has been held periodically in the past, but this is the first time since 2011 that a road has been closed for this event.
- 4.4 The closed section of Low Street will be used for (1) the safe viewing of displays in the Low Street sheds; (2) the safe off-loading of the public from tour shuttles; and (3) access to the food area in the Low Street office car park.
- 4.5 This closure is detailed in Figure 1 of Attachment 1 (the advertisement placed in the Nelson Mail) (A1711933). A map of the closure is Figure 2 of Attachment 1 (A1711933).
- 4.6 Council officers placed an advertisement in the Nelson Mail on Wednesday 1 February 2017 informing of the proposed closures and asking for written feedback by Friday 10 February 2017. (See Figure 1 of Attachment 1.) (A1711933). The organiser distributed this advertisement to directly affected businesses by Friday 3 February 2017. No feedback was received.
- 4.7 There will be no amplified sound on road reserve so no noise consent is necessary for the approval of this road closure application.
- 4.8 The Police have approved of the closure.
- 4.9 The applicant has shown evidence of adequate public liability insurance.
- 4.10 Emergency access to all areas of the closed roads will be provided at all times.
- 4.11 Council officers are working with the applicant about the required Traffic Management Plan.
- 4.12 Council officers recommend that this application be approved.

Stopping Distance Demonstrations

- 4.13 On 10 January 2017 an application was received from Council staff for the temporary closure of various suburban streets near schools for Council's stopping distance demonstrations. These closures will occur in the week starting Monday 6 March and will continue until Thursday 9 March 2017.
- 4.14 The stopping distance demonstrations show the distances that vehicles need to stop safely if, for example, a child is seen on the road and a car brakes suddenly. It is well attended by school children during school hours. Other traffic safety tips relevant to children are provided.
- 4.15 The closures are needed to provide for the on-road demonstrations and safe viewing by children.
- 4.16 The stopping distance demonstrations are held every year or every second year. Tasman District Council also runs these demonstrations at their region's schools.
- 4.17 The Nelson demonstrations are funded by Council and the New Zealand Transport Agency (NZTA).
- 4.18 This closure is detailed in Figure 3 of Attachment 1 (the advertisement placed in the Nelson Mail) (A1711933). A map of the closure is Figure 4 of Attachment 1 (A1711933).
- 4.19 Council officers placed an advertisement in the Nelson Mail on Wednesday 1 February 2017 informing of the proposed closures and asking for written feedback by Friday 10 February 2017. (See Figure 3 of Attachment 1.) (A1711933). The organiser distributed this advertisement to directly affected residents by Friday 2 February 2017.
- 4.20 Written feedback was received from Mr David Scott at 36 Tukuka Street (which is not in the closed section). Mr Scott's email is shown in Attachment 2 (A1712081. Council staff discussed Mr Scott's questions with him, and he is satisfied with the response given. His feedback can now be disregarded.
- 4.21 Mr Owen Houliston of Tipahi Street visited Council and provided verbal feedback. Mr Houliston objected to the events, saying that they were not within Council's scope. His feedback was part of a "package" of comments, which are not all relevant to this application. No confirming written feedback was received from him.
- 4.22 Amplified sound on road reserve will be used, but will be controlled to match the ambient noise. With agreement from Council's Consents and Compliance business unit, and with consideration of the time of the event during the day and its proximity to schools, no noise consent has been applied for for this road closure application.
- 4.23 The Police have approved of the closure.
- 4.24 Council's public liability insurance will be used for this event.

- 4.25 Emergency access to all areas of the closed roads will be provided at all times.
- 4.26 Council officers are working with the applicant about the required Traffic Management Plan.
- 4.27 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 two temporary road closure applications.

Mark Hollows

Investigator / Contract Supervisor

Attachments

Attachment 1 A1711933 – Maps and advertisements for two road closure applications

Attachment 2 A1712081 – Email from Mr David Scott

Important considerations for decision making

1. Fit with Purpose of Local Government

The Local Government Act 1974 Schedule 10 confirms that approvals for temporary road closures for event-related activities lie with Council.

2. Consistency with Community Outcomes and Council Policy

The recommendations outlined in this report are directly aligned to the requirements of:

- The Local Government Act 1974, Schedule 10, Temporary Prohibition of Traffic
- The Local Government Act 2002, Clause 78, Community Views in Relation to Decisions

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.

3. Risk

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).

4. Financial impact

There is no financial impact to Council.

5. Degree of significance and level of engagement

The recommendations outlined in this report are not considered significant in terms of Council's Significance and Engagement Policy.

6. Inclusion of Māori in the decision making process

Māori have not been consulted in the processing of the specific temporary road closure applications considered in this report.

7. Delegations

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.

PROPOSED TEMPORARY ROAD CLOSURES

Pursuant to the Local Government Act 1974, notice is hereby given that Port Nelson proposes to temporarily close the following road to ordinary vehicle traffic. 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:

LOW STREET from Wildman Avenue to 75 m south of Carkeek Street

Times of closure:

- From 11 am until 5 pm on Saturday 4 March 2017
- From 8 am until 6 pm on Sunday 5 March 2017

This closure is for the Port Nelson Open Day, a family-friendly opportunity for the community to visit Port Nelson.

Any person wishing to give feedback about this proposal is requested to do so in writing by Friday 10 February 2017, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email enquiries@ncc.govt.nz. The decision of whether the roads will be closed will be advertised on Council's website at www.nelson.govt.nz.

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

Clare Hadley
Chief Executive

Figure 1—Advertisement for the Port Nelson Open Day



Figure 2—Map of the Road Closure for the Port Nelson Open Day

PROPOSED TEMPORARY ROAD CLOSURES

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:

- **NILE STREET EAST** from Tasman Street to Domett Street on Thu 9 March 2017 from 9:15 am until 11 am and from 12:15 pm until 2:30 pm
- **NORWICH STREET** between the two Leicester Street intersections on Tue 7 March 2017 from 9 am until 2:30 pm
- **RANUI ROAD** from Willow Avenue to Titoki Street on Wed 8 March 2017 from 1 pm until 2:45 pm
- **RUI STREET** from Tahunanui Drive to Muritai Street on Wed 8 March 2017 from 9 am until 11:30 am
- **TIPAHİ STREET** from Motueka Street to Tukuka Street on Mon 6 March 2017 from 9 am until noon.
- **TOTARA STREET** from Vanguard Street to St Vincent Street on Mon 6 March 2017 from 12:30 pm until 2:45 pm

Access to and from properties within the closed sections of road will be provided if necessary, but there may be delays of up to 15 minutes.

This closure is for vehicle stopping distance demonstrations, a road safety programme for children.

Any person wishing to give feedback about this proposal is requested to do so in writing by Friday 10 February 2017, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email enquiries@ncc.govt.nz. The decision of whether the roads will be closed will be advertised on Council's website at www.nelson.govt.nz.

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

Clare Hadley
Chief Executive

Figure 3—Advertisement for the Stopping Distance Demonstrations



Figure 4—Map of the Road Closure for the Stopping Distance Demonstrations, Nile Street East

NOTE: Mayroyd Terrace residents will be permitted to pass through the east end of the Nile Street East closure to enter and exit Mayroyd Terrace via Nile Street East. Most Mayroyd Terrace driveways are aligned for this direction.

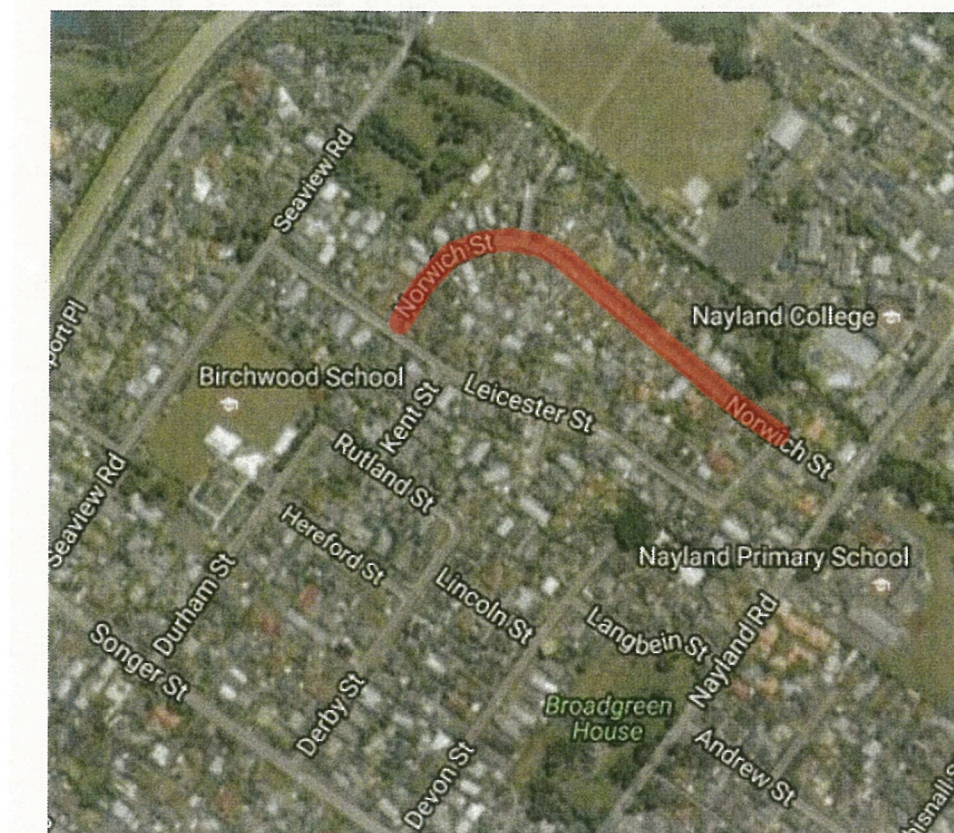


Figure 5—Map of the Road Closure for the Stopping Distance Demonstrations, Norwich Street

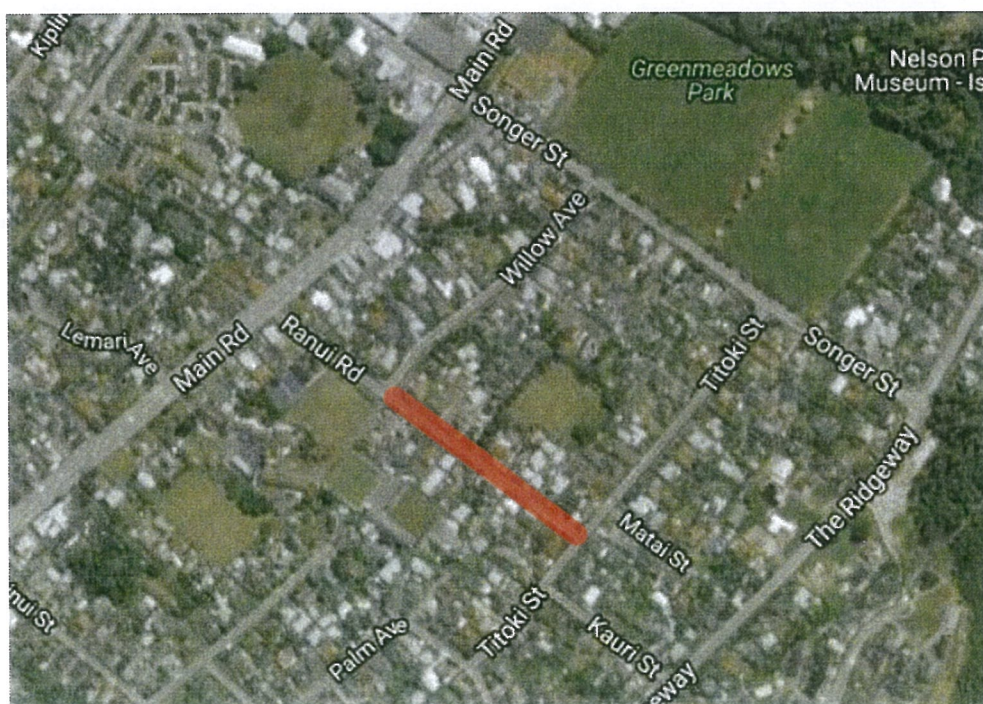


Figure 6—Map of the Road Closure for the Stopping Distance Demonstrations, Ranui Road



Figure 7—Map of the Road Closure for the Stopping Distance Demonstrations, Rui Street



Figure 8—Map of the Road Closure for the Stopping Distance Demonstrations, Tipahi Street

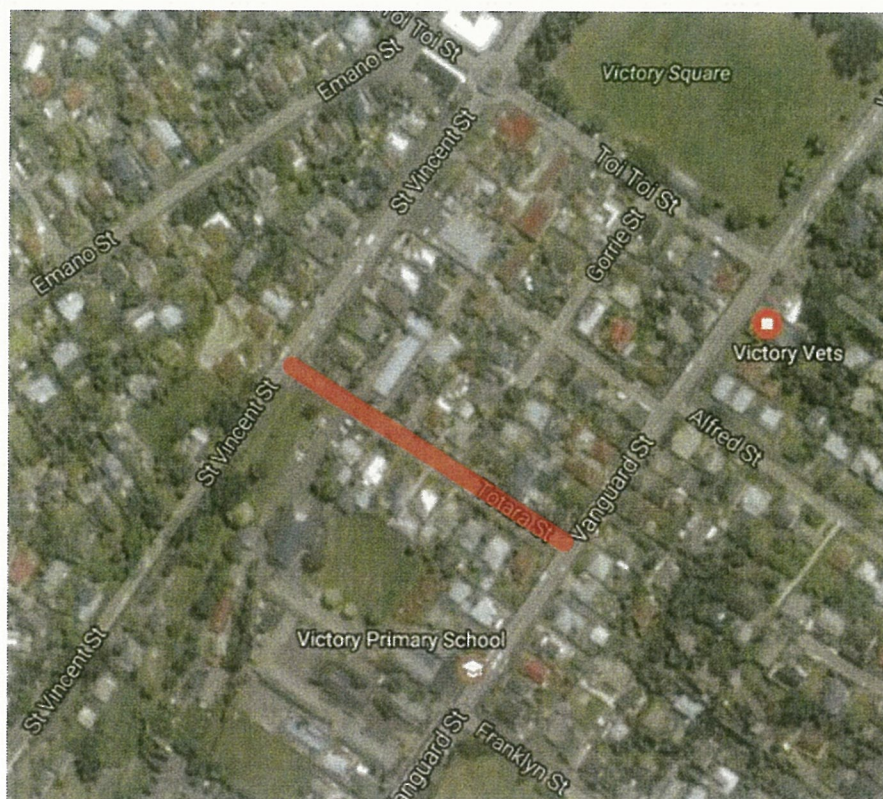


Figure 9—Map of the Road Closure for the Stopping Distance Demonstrations, Totara Street

Attachment 2

From: David Scott [<mailto:dpscott@xtra.co.nz>]
Sent: Friday, 3 February 2017 8:19 AM
To: 'enquires@ncc.govt.nz'
Subject: Attention Mark Hollows

Proposed temp Road closures

Tipahi including Motueka and Tukuka street Mon 6 March from 0900hrs to 12 noon (3 hrs)

I have just received the notice in my letter box, I am concerned re your rational in Pursuant to the local Government Act 1974 of temp road closures.

You have given me as a lawful rate payer very poor information to preventing me legal access to my home and street apart from:

vehicle stopping distance demonstrations, a road safety programme for children.

Why should my access be restricted by this

You don't tell us what this involves and why should I be denied access to my house and freedom of movement

I suggest you concentrate your Council powers more on cleaning up the freedom campers(lawless street vandals) and that lawless tramp in Trafalgar street

Regards

David Scott

36 Tukuka Street

dpscott@xtra.co.nz

