



AGENDA

Ordinary meeting of the Regional Transport Committee

**Monday 15 April 2019
Commencing at 1.30p.m.
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

**Pat Dougherty
Chief Executive**

Membership: Councillor Mike Rutledge (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Paul Matheson, Gaile Noonan (Deputy Chairperson) and Mr Jim Harland (NZTA representative)

Quorum: 3

Nelson City Council Disclaimer

Please note that the contents of these Council and Committee Agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision.

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Order 12.1:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings
- 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

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 room for discussion and voting on any of these items.

1. Apologies

Nil

2. Confirmation of Order of Business**3. Interests**

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

4. Public Forum**5. Confirmation of Minutes**

5.1 3 December 2018

7 - 14

Document number M3969

Recommendation

That the Regional Transport Committee

- 1. Confirms the minutes of the meeting of the Regional Transport Committee, held on 3 December 2018, as a true and correct record.***

6. Chairperson's Report**7. New Zealand Transport Agency Update****15 - 24**

Document number R10036

Recommendation

That the Regional Transport Committee

- 1. Receives the report New Zealand Transport Agency Update (R10036) and its attachments (A2147951, A2147953, and A2163746); and***

2. ***Approves the submission on the Blenheim to Nelson Safety Improvements consultation to the New Zealand Transport Agency as drafted in Attachment 3 (A2163746); and***
3. ***Delegates authority to approve any changes to the submission to the Blenheim to Nelson Safety Improvements consultation, based on feedback from the meeting, to Her Worship the Mayor and the Chair of the Regional Transport Committee.***

8. Nelson Future Access Detailed Business Case Update

25 - 38

Document number R10066

Recommendation

That the Regional Transport Committee

1. ***Receives the report Nelson Future Access Detailed Business Case Update (R10066) and its attachment (A2159036).***

9. Nelson Future Access: Memorandum of Understanding

39 - 45

Document number R10077

Recommendation

That the Regional Transport Committee

1. ***Receives the report Nelson Future Access: Memorandum of Understanding (R10077) and its attachment (A2162709); and***
2. ***Approves the signing of the Memorandum of Understanding with the New Zealand Transport Agency (A2162709).***

PUBLIC EXCLUDED BUSINESS

10. Exclusion of the Public

Recommendation

That the Regional Transport Committee

- 1. Excludes the public from the following parts of the proceedings of this meeting.***
- 2. The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:***

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Regional Transport Committee Meeting - Public Excluded Minutes - 3 December 2018	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none">• Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)• Section 7(2)(g) To maintain legal professional privilege• Section 7(2)(i) To enable the local authority to carry on, without prejudice or

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			disadvantage, negotiations (including commercial and industrial negotiations)
2	Public Transport: Moving to a Gross Price Contract	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities



Minutes of a meeting of the Regional Transport Committee

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson

On Monday 3 December 2018, commencing at 2.00p.m.

Present: Councillor M Rutledge (Chairperson), Her Worship the Mayor R Reese, Councillors P Matheson, G Noonan (Deputy Chairperson) and Mr Harland (NZTA Representative)

In Attendance: Councillors L Acland, I Barker, B Dahlberg, B McGurk, M Lawrey, T Skinner and S Walker, Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), and Governance Adviser (J Brandt)

Apologies : Nil

1. Apologies

2. Confirmation of Order of Business

It was noted that item 10 would be considered as the very last item, following public excluded business.

3. Interests

There were no updates to the Interests Register, and no interests with items on the agenda were declared.

4. Public Forum

4.1 Aaryn Barlow - Active Transport Forum

Mr Barlow thanked the Council for its support of the Biking to School initiative and gave background information regarding the Forum.

In response to questions, Mr Barlow noted that the Forum had funding available to encourage behaviour change, and that they would be available to discuss collaboration with Council in regards to aligning active transport messages going to the community.

4.2 Peter Olorenshaw - Nelsust

Mr Olorenshaw gave a Powerpoint presentation (A2109055).

The presentation showed Nelsust's vision for Rocks Road.

Mr Olorenshaw noted that the type of esplanade suggested was expected to help protect the road during surges that could occur in extreme weather events. He also noted that he supported the Detailed Business Case to be progressed for the Nelson Southern Link and Rocks Road walking and cycling project.

Attachments

- 1 A2109055 - Presentation by Nelsust

5. Confirmation of Minutes

5.1 3 October 2018

Document number M3801, agenda pages 7 - 9 refer.

Resolved RTC/2018/031

That the Regional Transport Committee

Confirms the minutes of the meeting of the Regional Transport Committee, held on 3 October 2018, as a true and correct record.

Rutledge/Noonan

Carried

6. Chairperson's Report

A verbal report was given. The Chairperson thanked everyone involved in preparing the detailed business case document for the Nelson Southern Link and Rocks Road Walking and Cycling. He further noted that a list of projects was being worked through to assess if any were eligible to qualify for enhanced financial assistance rates.

Resolved RTC/2018/032

That the Regional Transport Committee

Receives the verbal Chairperson's Report.

Rutledge/Matheson

Carried

7. Speed control

Document number R9333, agenda pages 10 - 36 refer.

Manager Transport and Solid Waste, Marg Parfitt presented the report and answered questions about anticipated timeframes for changes to occur if using the special consultative procedure.

Mr Harland noted that the review of the 2018/19 rules programme would fall under the responsibilities of the Ministry of Transport, not the New Zealand Transport Agency. An addition to the resolution was made to support the Chairperson contacting the Ministry to request changes to this process.

The meeting was adjourned at 2.54p.m. and reconvened at 2.57p.m.

Resolved RTC/2018/033

That the Regional Transport Committee

Receives the report Speed control (R9333) and its attachments (A2084572, A2081669, A2083995, A2083996, 2083999, A2084012); and

Notes the work undertaken by officers on speed related issues on Nelson City local roads.

Supports the Chairperson of the Regional Transport Committee writing to the Ministry of Transport requesting changes to their speed reduction process (current 2018/19 Rules Programme) that will allow local authorities greater flexibility in trialling reduced speed limits.

Noonan/Rutledge

Carried

8. Regional Land Transport Plan variation - Saltwater Creek Bridge

Document number R9768, agenda pages 37 - 40 refer.

Resolved RTC/2018/034

That the Regional Transport Committee

Receives the report Regional Land Transport Plan variation - Saltwater Creek Bridge (R9768);

Approves a variation to the Regional Land Transport Plan 2015-21 to include Saltwater Creek Bridge as a specific project.

Noonan/Matheson

Carried

Recommendation to Council RTC/2018/035

That the Council

Approves the inclusion of \$1.2 Million in the Nelson Regional Land Transport Plan 2015–21 for Saltwater Creek Bridge in the 2018/19 financial year.

Noonan/Matheson

Carried

9. Nelson Southern Link and Rocks Road Walking Cycling Project

Document number R9734, agenda pages 41 - 56 refer.

The report was presented by New Zealand Transport Agency representatives Jim Harland, Rhys Palmer (Project Manager), Jill Skinner and Coral Aldridge.

Mr Harland gave a Powerpoint presentation (A2109344). He noted that the emphasis for the New Zealand Transport Agency was to have a robust process in place to inform the Regional Land Transport Plan (RLTP) 2021-2024 development in year 2020/2021.

The meeting was adjourned at 3.34p.m. and reconvened at 3.50p.m.

Discussion regarding the Detailed Business Case Scope took place and some minor amendments were suggested for agenda page 51, i.e. splitting the first bullet point on the page into two bullet points, and that NZTA considers adding their logo to the document. An addition to the resolution was made to delegate minor amendments to the Project Governance Group.

Attendance: Councillor Matheson left the meeting at 4.18p.m. and returned at 4.21p.m.

Resolved RTC/2018/036

That the Regional Transport Committee

Receives the report Nelson Southern Link and Rocks Road Walking Cycling Project (R9734) and its attachments (A1977693 and A2102066); and

Notes that updates will be provided to future Regional Transport Committee meetings on progress of the Detailed Business Case of the

Nelson Southern Link and Rocks Road walking cycling project.

Delegates minor amendments to the outline scope for the Nelson Southern Link and Rocks road Walking and Cycling project to the Project Governance Group.

Rutledge/Matheson

Carried

Recommendation to Council RTC/2018/037

That the Council

Endorses the amended outline scope for the Nelson Southern Link and Rocks Road Walking and Cycling project (A2102066 of Report 9734) that will enable the Detailed Business Case to commence.

Rutledge/Matheson

Carried

Attachments

1 A2109344 - NZTA presentation 03Dec2018

10. Exclusion of the Public

Tasman Regional Transport Committee Chairperson, Councillor Stuart Bryant, and officer Drew Bryant of Tasman District Council were in attendance for Items 1 and 2 of the Public Excluded agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved RTC/2018/038

That the Governance Committee

Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Stuart Bryant and Drew Bryant from Tasman District Council remain after the public has been excluded, for Items 1 and 2 of the Public Excluded agenda (Public Transport Cost Adjustment and Electronic Bus Ticketing), as they have knowledge relating to these matters that will assist the meeting.

Matheson/Rutledge

Carried

Resolved RTC/2018/039

That the Regional Transport Committee

Excludes the public from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Matheson/Rutledge

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Public Transport Cost Adjustment	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Electronic Bus Ticketing	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(i) To enable the local authority to carry on, without prejudice or

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 4.34p.m. and resumed in public session at 5.07p.m.

11. Proposed Champion Road underpass (Agenda Item 10)

Document number R9678, agenda pages 57 - 66 refer.

Manager Transport and Solid Waste, Marg Parfitt presented the report and noted that the underpass was likely to be eligible for other NZTA funding in which case the funding required from Nelson City Council would be reduced.

Attendance: Her Worship the Mayor Reese left the meeting at 5.11p.m. and returned at 5.15p.m.

Discussion took place regarding anticipated impacts on traffic flow, noting the decision about exits onto Champion and Salisbury Roads as part of the development's resource consent application had been made by independent commissioners.

Attendance: Her Worship the Mayor and Councillor Matheson left the meeting at 5.20p.m.; Councillor Matheson returned at 5.21p.m and her Worship the Mayor returned at 5.45p.m.

Resolved RTC/2018/040

That the Regional Transport Committee

Receives the report Proposed Champion Road underpass (R9678) and its attachment (A2079992); and

Approves, in principle, support for the Champion Road underpass (scheduled to commence in the 2019/20 financial year); and

Notes that the project will be managed entirely by Tasman District Council.

Matheson/Rutledge

Carried

Recommendation to Council RTC/2018/041

That the Council

Commits to the allocation of a maximum of \$470,000 as a grant payable to Tasman District Council for the Champion roundabout and underpass project as part of the 2019/20 Annual Plan.

Matheson/Rutledge

Carried

Councillor Noonan asked that her vote against the above motion and the recommendation to Council, which were taken as one, be recorded.

There being no further business the meeting ended at 5.51p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

New Zealand Transport Agency Update

1. Purpose of Report

- 1.1 To provide the Committee with the New Zealand Transport Agency (NZTA) update report and seek approval of a submission in response to material provided.

2. Recommendation

That the Regional Transport Committee

- 1. Receives the report New Zealand Transport Agency Update (R10036) and its attachments (A2147951, A2147953, and A2163746); and***
- 2. Approves the submission on the Blenheim to Nelson Safety Improvements consultation to the New Zealand Transport Agency as drafted in Attachment 3 (A2163746); and***
- 3. Delegates authority to approve any changes to the submission to the Blenheim to Nelson Safety Improvements consultation, based on feedback from the meeting, to Her Worship the Mayor and the Chair of the Regional Transport Committee.***

2. Background

- 2.1 The NZTA's update on issues relating to the Noise Reduction Programme and the Speed Review is summarised in Attachment 1.
- 2.2 Supporting information regarding the State Highway 6 Corridor Safety Investigation is appended as Attachment 2.
- 2.3 Feedback on the Blenheim to Nelson Safety Improvements consultation document has been invited from NZTA. NZTA officials indicated they are willing to accept late feedback from this Committee. The RTC

Item 7: New Zealand Transport Agency Update

Chairperson and officers have worked together to draft feedback - appended as Attachment 3.

Author: Margaret Parfitt, Manager - Transport and Solid Waste

Attachments

- Attachment 1: A2147951 NZTA memo update Re: Noise reduction programme and Speed review [↓](#)
- Attachment 2: A2147953 Nelson to Blenheim Information sheet re safety improvements [↓](#)
- Attachment 3: A2163746 Nelson RTC submission on Blenheim to Nelson Safety Improvements consultation [↓](#)



MEMO

To Nelson RTC Update

Cc

From Steve Higgs

Date 25 March 2019

Subject Nelson Noise Programme and Speed Review Update

Purpose

To provide an update to the Nelson RTC on the Noise Enhancement Programme and Speed Management Review.

Recommendation:

That the Nelson RTC notes this update

Background

This update responds to further information sought by the RTC at the October meeting on the Noise Enhancement Programme and concerns with inconsistent speed limits on SH6 through Atawhai.

The resolutions from that meeting were:

Requests that the New Zealand Transport Agency, recognising current and future residential housing is close to SH6, provide further information to a future Regional Transport Committee meeting on possible future road treatments between Haven Road and Todd Bush Road.

Requests that the New Zealand Transport Agency considers a reduced speed limit along SH6 between Haven Road and Todd Bush Road and report their findings back to a future Regional Transport Committee meeting.

Discussion

a) Noise Enhancement programme

This programme was originally included in the Transport Agency Improvement Programme (TAIP), but the Committee sought further information on the nature and extent of the potential activities prior to including it in the Regional Land Transport Plan (RLTP). The further information was provided at the October meeting and was included into the RLTP as a variation.

A Transport Agency business case has been prepared for noise reduction work to be undertaken nationally in areas identified as having the greatest need (based on the estimated noise levels and the number of people exposed). The noise programme was intended to be a national programme, with the genesis of the programme originating from Auckland noise issues and extended to include other selected regions including Nelson. However, this wasn't included in the National Land Transport Programme because it was not sufficiently prioritised. It is not known when this business case will be progressed or if funding will be obtained, although this is now unlikely to occur in the near future. The Agency is continuing to work on developing its policy on how progress this programme. If funding were obtained, a three-year timescale is considered the minimum practical time required to address the highest priority areas from a national perspective.

In addition to the noise business case, the Transport Agency is working on a sustainability strategy which will respond to the environment priority in the current Government Policy Statement on Land Transport (GPS) and to the Transport Agency's Environment Position Statement. This will include how NZTA will deliver on a range of environmental, sustainability and public health outcomes, including noise.

The RTC sought further advice on how the proposed programme might be implemented in Nelson. If approved, implementation of noise improvements would be scheduled over a number of years and prioritised based on noise mitigation considerations, including the number of houses exposed to high noise, the potential effectiveness of mitigation, and the cost and feasibility of providing noise mitigation.

The business case used a threshold of 'high road-traffic noise' exposure of greater than 64 dBA (24-hr average) at the closest façade of a dwelling. This threshold is consistent with the New Zealand Standard (NZS 6806:2010) for assessing road-traffic noise from 'altered' roads. Given the national scope of the business case a high-level model was used to broadly identify the scale of high noise exposure and the quantum of potential mitigation, rather than the details.

The two Nelson City areas identified for potential noise mitigation in the business case have been included in the RLTP. Should funding be approved for the Nelson City mitigation, the next steps would include:

- detailed noise modelling to confirm noise exposure levels, the effectiveness of the low-noise surfacing in reducing noise exposure, and also the location and extent of the low noise surfacing; and,
- an investigation of the existing pavements to determine if they are suitable for a low-noise asphalt surface.

The feasibility, effectiveness and details of any noise mitigation (such as barriers or low noise surfacing) for areas that have been prioritised for noise reduction would be confirmed later through detailed modelling, investigations and design.

Use of noise models to assess noise exposure

The RTC sought further information on whether further detailed analysis would occur taking into account local environmental factors. The use of a noise model to predict noise levels is standard practice for New Zealand traffic noise assessments. The model used in New Zealand is based on the UK Calculation of Road-Traffic Noise (CRTN) method with adaptations for New Zealand road surfaces. The method includes inputs for traffic parameters (traffic composition, speed and volume), road geometry, ground conditions, topography, climate, and the location and heights of dwellings adjacent to the road. The model assumes all receptors are downwind from the traffic source under light-to-moderate wind conditions. This method has been used extensively internationally, and in New Zealand for more than a decade, and has been widely accepted by statutory approval authorities in New Zealand.

Noise monitoring is not used for assessment purposes because it is not practical to undertake monitoring over large assessment areas, and also because monitoring data is influenced by many other sources besides road traffic noise, and it is not possible to isolate these confounding sources for assessment purposes.

The noise model developed for the business case uses less refined data sets for topography and dwelling locations and heights than are typically used for detailed modelling. This is because detailed data sets were not available nationally, and national consistency in the prioritisation of noise mitigation was desired. Prior to implementation, detailed modelling is required to confirm any noise mitigation.

Future road treatments between Haven Road and Todd Bush Road

This section of State highway is classified as a regional State highway under the One Road Network Classification. It currently carries approximately 12000 vehicles per day. The most likely noise mitigation would be a surface pavement treatment (given topography and density of development).

The NZTA undertakes a reseal programme as part of its maintenance. NZTA has completed a treatment of Atawhai Drive during the recent summer period. The programmed work undertaken this year is an initial large chip seal, which is used regardless of which second seal treatment is to be applied. We are considering the best second coat seal treatment next summer, including noise mitigation. There are options of including either a small chip seal which will provide a smoother surface or an asphalt. While both will provide a better noise outcome different age and type of seals can cause different noise 'tone' and ideally NZTA would try to avoid multiple surfacing over short sections of the State highway.

For new (and altered) dwellings, developments and other noise sensitive activities near existing state highways (or existing state highway designations) the responsibility for including appropriate land use controls within district plans lies with councils, and the responsibility for implementation of those controls is

with landowners/ developers. The Transport Agency has prepared a Guide to the management of effects on noise sensitive land use near to the state highway network.

b) Speed Management Review of State Highway 6 through Atawhai

The RTC asked the Transport Agency to consider undertaking a review of the posted speed limits through Atawhai noting that there were inconsistencies along this corridor. The NZ Transport Agency is currently consulting on safety improvements along the SH6 corridor between Nelson and Blenheim. This investigation will include a corridor assessment along SH6 through Atawhai, and consideration of a speed management review.

Reviewing speeds is part of the Safe Network Programme, which will deliver proven safety interventions on highest risk routes across New Zealand. The delivery of the programme and the engagement with partners, stakeholders and the community will happen in a consistent, one community - one conversation way. This means targeted safety interventions including roads and roadsides, speed or level crossings are all looked at together taking a one network approach.

6

Blenheim to Nelson safety improvements



We've been looking at ways to make State Highway 6 (SH6) between Blenheim and Nelson safer. We know people make mistakes, so there are changes we can make so that simple mistakes don't cost lives.

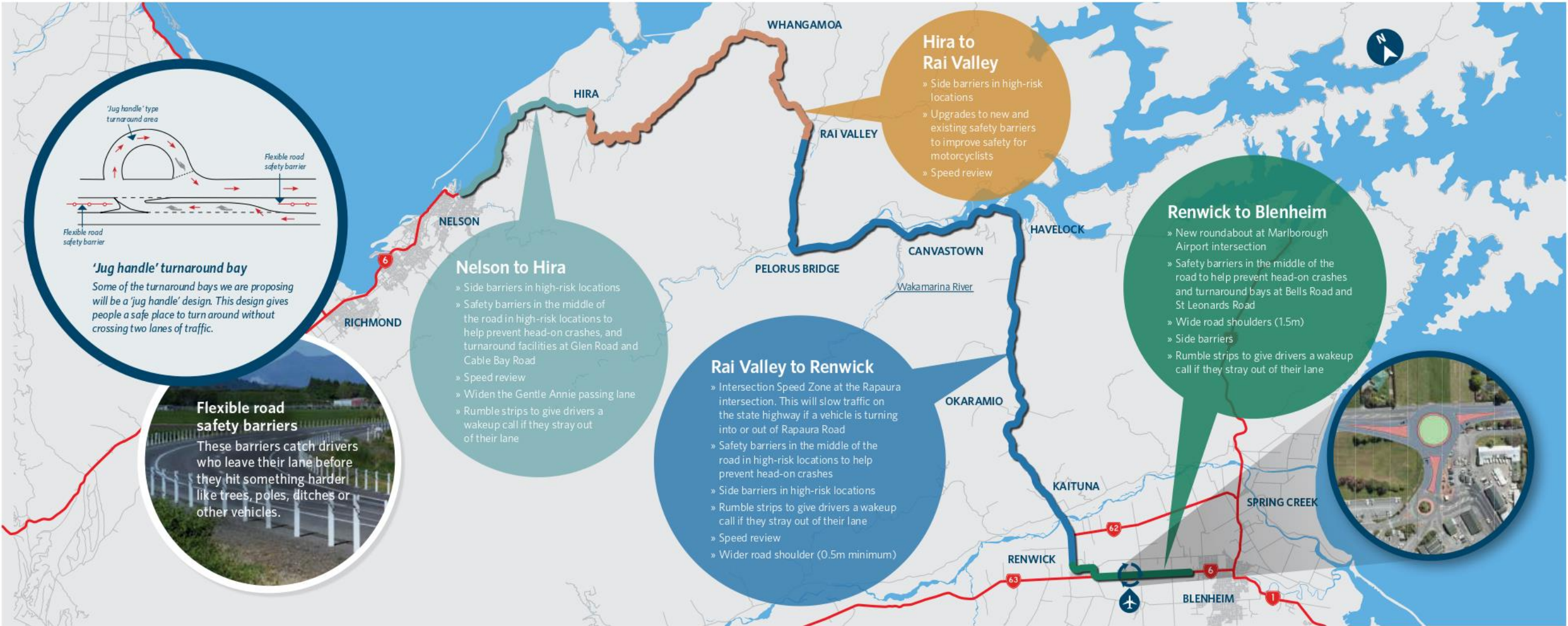
Tell us what you think

[New Zealand Government](#)

6

We're looking at ways to make the road between Blenheim and Nelson safer

TELL US WHAT YOU THINK



Between 2008 and 2017 19 people died and 90 were seriously injured in crashes on SH6 between Blenheim and Nelson.

Many of these crashes involved drivers losing control, running off the road and hitting objects such as trees and power poles. There have also been head-on crashes on this highway, and some at intersections.

The NZ Transport Agency has been looking at ways to make this road safer. To make sure we get things right we sought feedback from the community and interested groups. We asked people what makes this road feel unsafe and what worries them the most.

You told us these things make you feel unsafe:

- » Speed limits, these are inconsistent and too high in some areas, especially around schools
- » Turning on and off the state highway
- » The high traffic volume
- » Walking or cycling on or across the highway
- » Dangerous overtaking
- » The lack of pull-over areas
- » The high number of crashes



The valuable feedback we received helped us shape this proposed plan to help stop people dying or being seriously injured in crashes on this road. It includes:

- » **Installing flexible road safety barriers** down the middle of the road in some high-risk sections to stop head-on crashes and **adding turnaround facilities** at regular intervals to give people places to safely turn around.
- » **A new roundabout** at the Marlborough Airport intersection near Blenheim.
- » **Installing an Intersection Speed Zone** at the intersection of SH6 and Rapaura Road near Blenheim. These activated signs slow traffic on the state highway if a vehicle is turning into or out of the side road.
- » **Side barriers** in high-risk locations.

- » **Upgrades to side barriers** to improve safety for motorcyclists.
- » **Rumble strips** to give drivers a wakeup call if they stray out of their lane.
- » **Wider road shoulders** to give drivers a chance to recover if they lose control or need to move out of someone's way.
- » **Reviewing speed limits** along the route and outside some schools.



6

TELL US WHAT YOU THINK

Next steps

Over the next few months we will take this proposed plan out to landowners, stakeholders and the wider community to see what they think. We'll consider feedback and make tweaks before making any final decisions and applying for construction funding.

If funding is approved, we will update the community again with expected construction dates and stages.

Have your say and help us get it right



If you can't make it to a community drop-in, you can go online to view the designs and use our interactive map to give feedback www.nzta.govt.nz/b2n



Contact Evan Freshwater
Community Engagement Manager
027 587 3124



evan.freshwater@saferoads.co.nz



Come and meet the team and find out more at one of our community drop-ins

Thursday 14 March

Marlborough Convention Centre
42A Alfred St, Blenheim
3pm to 6pm

Friday 15 March

Havelock Town Hall
Main Road, Havelock
9.30am to 12.30pm

Friday 15 March

Rai Valley Fire Station
9 Bryants Road, Rai Valley
3pm to 6pm

Saturday 16 March

Nelson Markets
Montgomery Square, Nelson
8am to 1pm



Civic House, 110 Trafalgar Street
PO Box 645 Nelson 7040
P 03 546 0200
F 03 546 0239

15 April 2019

www.nelsoncitycouncil.co.nz

Blenheim to Nelson Safety Improvement team
c/- Evan Freshwater
Community Engagement Manager
New Zealand Transport Agency

By email: evan.freshwater@saferoads.co.nz

Dear Mr Freshwater

**NELSON REGIONAL TRANSPORT COMMITTEE – SUBMISSION ON THE
BLENHEIM TO NELSON SAFETY IMPROVEMENTS**

Thank you for the opportunity to provide a submission on the Blenheim to Nelson Safety Improvements and for accepting receipt of this after the official closure date. The Nelson Regional Transport Committee (RTC) is generally in support of seven of the eight proposals outlined in the consultation document, but we believe the document is exceptionally light on detail and leaves the Nelson RTC with some outstanding concerns. We wish to make specific recommendations on changes that would improve the overall proposal, particularly for a number of matters which relate to the Nelson region.

- In the 2018 Government Policy Statement (GPS) on Land Transport the RTC was heartened to see recognition of transport as an enabler for new housing opportunities, liveable cities and sustainable economic development in regional New Zealand. We are therefore disappointed that there are no immediate plans or funding to support road surfacing improvements which are important for safety and liveability for our Atawhai community due to noise generated by the current road surface. In April 2018 following deliberations of the mid term review of the Nelson Regional Land Transport Plan (RLTP), the Group Manager of Infrastructure wrote to NZTA on behalf of the RTC requesting that when Wakatu Drive is next resealed that consideration be given to an alternative to the current chip seal used, namely an open graded porous asphalt, acknowledging that whilst more expensive, it offers vastly improved noise reduction properties. In October 2018 the RTC also approved a change to the RLTP to include \$4.97M for noise improvements which showed both Wakatu Drive and SH6 Atawhai in that work programme. No noise reduction surfacing has been seen to date.
- We also have concerns about access for our fast-growing Atawhai community as the proposed median barriers have the potential to block access to the coast for these residents.
- Along with Access, the GPS contains a strong focus on improving the safety performance of the transport system in an effort to create a *'safe system, free of death and serious injury.'* We are therefore disappointed to see that the

speed limit review section of State Highway 6 north of Nelson at Atawhai barely rates a mention in the document and is not proposed as an immediate quick win. The Nelson City Council is carrying out a speed limit review in 2019/20 and has offered to partner with NZTA on including that section of the road in our planned speed limit consultation. This invitation has not been taken up by NZTA who have deferred the speed limit review indefinitely.

- It is disappointing to see no mention of improved walking and cycling facilities to the north of the existing Atawhai Shared pathway beyond Tresillian Avenue. It is Councils expressed desire to create a liveable city with a resilient road network and to meet its transport objective of "*Communities have access to a range of travel choices to meet their social, economic, health and cultural needs.*" The communities of Todd Bush, Glenduan and Hira are growing and are all within cycling distance of the city but need supporting infrastructure in a 100kmph environment.
- There seems to be no meaningful improvements planned on the Nelson side of the Whangamoa hill. Without a rail network, drivers are often left frustrated behind slow moving heavily laden freight trucks. There are no passing opportunities created as part of the proposal on the Whangamoa hill or for that matter along the entire route.

It is the understanding of this RTC that these proposals are a work in progress and that the priority for funding them will be determined when the business case is presented. The engagement process to date has raised the community expectations and in the light of the overarching GPS with its emphasis on Safety and Access it is the hope of this Committee that funding is made available for implementation as soon as possible.

Yours sincerely

Mike Rutledge

Councillor and Chair of the Nelson Regional Transport Committee

Nelson Future Access Detailed Business Case Update

1. Purpose of Report

- 1.1 To update the Committee on the progress of the Nelson Future Access Detailed Business Case.

2. Recommendation

That the Regional Transport Committee

- 1. Receives the report Nelson Future Access Detailed Business Case Update (R10066) and its attachment (A2159036).***

2. Background

- 2.1 The update from the New Zealand Transport Agency (NZTA) is appended as Attachment 1, and for completeness includes the approved Detailed Business Case.
- 2.2 The NZTA project managers will be in attendance at the meeting to answer any questions and to provide any update further to their report.

Author: Alec Louverdis, Group Manager Infrastructure

Attachments

Attachment 1: A2159036 - Nelson RTC Future Access Update and Next Steps





RTC Report

To Nelson Regional Transport Committee
Cc
From New Zealand Transport Agency
Date 15 April 2019
Subject Nelson Future Access Project

1. Purpose

- Update the Nelson Regional Transport Committee (RTC) on recent Nelson Future Access Project activities.
- Outline the next steps in the project.

2. Resolution

Receive this update from the New Zealand Transport Agency on the Nelson Future Access Project.

3. Background

At the 3 December 2018 Nelson RTC meeting the RTC received and recommended to Council the endorsement of the scope for the Nelson Future Access Project. Council endorsed the scope document on the 13 December 2018. The scope document is attached at the end of this report.

4. Discussion

4.1 Professional Services Supplier

Since endorsement of the scope the Agency has been procuring a professional services supplier to deliver the investigation. At the time of writing this report that process is not complete, however a verbal update will be given at the meeting.

4.2 Stakeholder and Community Engagement

Engagement with stakeholders and the community is critical to the success of this project. The professional services supplier will develop and maintain an engagement strategy and communications plan which is agreed by the Steering Group. That engagement strategy will show how we propose to work with parties to gain customer insights, better understand the transport system issues and enable their contribution into the decision-making process during the investigation phase of work.

The key stakeholders in alphabetic order would include as a minimum:

- Accessibility representation
- Bicycle Nelson Bays
- Business community representation,
- Education providers representative
- Emergency Services
- Federated Farmers
- Industry representation, (forestry/wood products, horticulture, viticulture, seafood)
- Infrastructure and environmental interest groups
- Mana Whenua,
- Nelson Airport
- Nelson Chamber of Commerce
- Nelson District Automobile Association
- Nelson Marlborough Health Board
- NZ Police
- Port Nelson
- Public transport user representative
- Representatives from communities in the project area,
- Road Transport Association NZ
- Tasman District Council
- Uniquely Nelson (tourism representative)
- Walk Nelson Tasman
- Youth group

The intention is that the key stakeholders will also feedback information to their respective organisations and communities, ensuring wider stakeholder and community awareness of the process and project.

4.3 Next Steps

At the time of writing the professional service supplier has not been appointed. Once that has occurred a detailed schedule will be developed to confirm the timing of activities. A verbal update will be given at the meeting.

ATTACHMENT 1 – NELSON FUTURE ACCESS DETAILED BUSINESS CASE SCOPE

Nelson Future Access – Detailed Business Case Scope

AUTHOR: Principal Transport Planner, NZ Transport Agency

DATE: 13 December 2018

VERSION 1.0

Improving the movement of people and goods to create a better Nelson



Copyright information

This publication is copyright © NZ Transport Agency. Material in it may be reproduced for personal or in-house use without formal permission or charge, provided suitable acknowledgement is made to this publication and the NZ Transport Agency as the source. Requests and enquiries about the reproduction of material in this publication for any other purpose should be made to:

Manager, Information
NZ Transport Agency
Private Bag 6995
Wellington 6141

The permission to reproduce material in this publication does not extend to any material for which the copyright is identified as being held by a third party. Authorisation to reproduce material belonging to a third party must be obtained from the copyright holder(s) concerned.

Disclaimer

The NZ Transport Agency has endeavoured to ensure material in this document is technically accurate and reflects legal requirements. However, the document does not override governing legislation. The NZ Transport Agency does not accept liability for any consequences arising from the use of this document. If the user of this document is unsure whether the material is correct, they should refer directly to the relevant legislation and contact the NZ Transport Agency.

More information

ISBN: 978-1-98-856129-5

If you have further queries, call our contact centre on 0800 699 000 or write to us:

NZ Transport Agency
Private Bag 6995
Wellington 6141

This document is available on the NZ Transport Agency's website at www.nzta.govt.nz

PLANNING THE DETAILED BUSINESS CASE

Introduction

The Nelson Southern Link Investment Programme Business Case (including Rocks Road Walking and Cycling options) was adopted by the NZ Transport Agency in June 2017. The 2018–21 National Land Transport Programme includes funding allocation to enable the next phase of investigations (Detailed Business Case) to progress over the next three years.

Since the adoption of the PBC in 2017, changing Government priorities and NZTA's evolving operating model have required us to rethink our approach to the next phase of these investigations. Under the 2018 Government Policy Statement on Land Transport (2018 GPS) there is a greater focus on safety, accessibility, resilient and liveable cities, the environment (including reducing GHG emissions), mode neutrality, reducing dependency on private vehicles (non-commercial), and realising the role of the transport system in improving access to economic and social opportunities.

The 2018 GPS provides an opportunity for the Agency and Nelson City Council (NCC) to build on the outputs from the PBC, by taking a broader perspective of the potential for the transport system to contribute to delivering on Nelson's vision for a vibrant CBD, a people focussed world class waterfront, a healthy environment and supporting smart and resilient infrastructure.

Context to the DBC

Whilst regional population growth across the top of the South Island (ToTS) has been moderate in recent years (1% per annum 2007–2016), the Nelson City/Richmond area has experienced considerably higher growth with the population forecast to increase by 15% by 2043 (2016 base), an additional 9,500 people. The Nelson/Richmond area is currently on the cusp of being classified as a high growth area under the National Policy Statement on Urban Development Capacity (forecast 9.9% over 10 years 2013–2023). Under the NPS, NCC is currently required to provide for an additional 4,542 residences in the short to medium term to meet forecast demand. Given the topography of Nelson and land availability, much of this supply is envisaged to be the south of City, in the areas of Marsden Valley, Ngawhatu and Saxton. Tasman District is also under significant development pressures especially in the neighbouring Richmond area.

ATTACHMENT 1 – Nelson Future Access Scope

The ToTS contributes approximately 3% of NZ's GDP, with Tasman and Marlborough Districts being highly export focussed and reliant on factories and manufacturing in both Nelson and Tasman for export. Port Nelson is the biggest fishing port in Australasia and supplies all the fuel for TOTS but has no options for a rail connection. Forestry is a key regional export and wine has grown significantly, which supports the new QuayConnect logistics facility at Port Nelson. QuayConnect, through its dedicated and scheduled trucking service has managed to halve truck journeys (on average 14 fewer truck journeys per day), and saved 348,436 litres of fuel and over 1,600 tonnes of CO₂ equivalent in just over one year whilst managing increased volumes.

Tourism across the top of the South Island is increasingly important to the regional economy, with a high proportion of self-drive visitors. Nelson's proximity to three national parks, and an increasing awareness of the region's cycling and mountain biking trails is enhancing the TOTS's reputation as a destination for both domestic and international tourism. Confidence in the region's tourism market is reflected in the recent investment/expansion of Nelson City airport, which is the fifth busiest airport in NZ.

A key priority for NCC is a healthy, vibrant and thriving CBD; one that supports retail and business while attracting visitors and residents alike. As the main urban centre for the TOTS, Nelson's CBD, with its distinctive identity, has a key role to play in the economic life of the region. Declining retail presence in Nelson's CBD, partially resulting from reduced accessibility, has prompted NCC to promote an environment that supports commerce, encourages inner city living and is a catalyst for private sector investment. The ease of access to the CBD and surrounds remains a challenge for Nelson's local competitiveness.

NCC has also stated a desire to deliver a world-class waterfront along the Rocks Road corridor. The waterfront is a key recreational destination for residents and visitors, whilst the adjacent SH6 Rocks Road route forms a key part of the City's walking and cycling network and provides the primary access route to the Port for freight from the south.

Journeys between Nelson City's CBD, Waterfront, Airport, Port and Richmond are made largely via SH6 Rocks Road or Waimea Road, both of which are key arterial routes. The lack of a clear understanding of the respective roles and functions of the two corridors, and the adjoining network, in providing safe and appropriate access to key regional destinations, has led to conflict between freight and vulnerable users on Rocks Road, impacting the ability to realise the untapped potential of the waterfront as a world class visitor destination.

A further challenge for Rocks Road lies in its resilience to major weather events and climate change as experienced in recent years. These events have highlighted the vulnerability of this section of the network due to sea level rise, climate change (storm surge) and slope instability.

Continued population, business and industry growth, combined with a strong tourism industry, is putting the transport network in Nelson and Richmond under pressure. Constraints on the transport system in Nelson result in conflict between modes of travel such as trucks and cyclists; community severance; traffic impacts on adjacent communities and evidence of rat-running leading to declining levels of liveability, increasing crash risks and decreasing journey reliability for all modes which will increasingly impact economic productivity and the uptake of alternative modes to the private vehicle.

Project Objectives

To develop a detailed multi-modal transport system investment programme which supports community aspirations for a thriving CBD; a world-class waterfront and a healthy environment; and provides a safe, accessible and resilient transport system, whilst meeting the diverse needs of customers and communities. In particular the programme should seek to:

- Identify customer needs and growth pressures in the study area;
- Define the existing and future function of key transport corridors (for all modes) in the study area, to deliver a safe, accessible and resilient network cognisant of NCC's goals, the needs of customers and the wider community.
- Make best use of existing infrastructure and services as well as new/emerging technologies.
- Ensure integration of land use and transport systems to reduce the dependency on private single occupancy motor vehicles
- Investigate and identify a package of measures that could be progressed on SH6 Rocks Road in the short to medium term which enhances walking and cycling and supports NCC's vision for a world class waterfront
- Investigate and make recommendations in respect of the key journeys between Nelson City's CBD, Waterfront, Airport, Port and Richmond including the need for, and if appropriate the timing and/or triggers for an alternative arterial route to Rocks Road and Waimea Road, to resolve long standing uncertainty about the Nelson Southern Link.

Project Study Area

The project study area is shown in the figure below. The red area is the focus of this study and reflects where project partners believe there is the most significant problems to be addressed or opportunities to be taken to improve the transport system and contribute to the objectives of the business case. The purple area represents the broader area of land use and travel demand, which influences both the scale of the problems in the study area and may have a role in contributing to the recommended programme.



Project Scope

There are three key deliverables from this commission:

- A confirmed list of projects (based on those currently proposed in the 2018–21 NLTP/RLTP), which can be progressed as discrete activities in 2018–21 period, ahead of the outcomes of the Detailed Business Case (DBC) process.
- A single stage Business Case (ssBC) investigating SH6 Rocks Road and the delivery of an enhanced walk/cycle corridor in the short to medium term. The ssBC will need to align to the objectives, evidence base and emerging package of the wider DBC but is required to be delivered early to take advantage of pre-implementation funding potentially available in the 2018–21 NLTP period.
- A DBC for an integrated, detailed multi-modal transport system with a staged investment programme (over 30 years) which gives effect to the stated project objectives.

The key steps for developing each deliverable are outlined in the tables below:

Discrete activities to be delivered in 2018–21, ahead of the DBC process	
Context	Both NCC and the NZ Transport Agency have activities in the study area proposed within their NLTP, RLTP and Annual Plans. To avoid making investments which could undermine the objectives of the DBC it is necessary to undertake a review of those activities.
Activities	<p>Facilitate a meeting with key NZTA and NCC staff to</p> <ul style="list-style-type: none"> • identify all activities in the study area which are currently proposed in the 2018–21 NLTP/RLTP, and • agree the activities which are discrete, and can be progressed independent of the DBC process • agree necessary steps (as required) to progress discrete activities <p>Ensure activities that are deferred are captured within the long-listing process of the wider DBC.</p>

SH6 Rocks Road improvements – single stage Business Case for a recommended package for pre-implementation	
Context	There is a desire to accelerate the investigation and identification of a recommended package of enhancements to Walking and Cycling on SH6 Rocks Road ahead of completion of the Wider DBC to take advantage of pre-implementation funding in the 2018–21 NLTP. It is essential that the package should give effect to the wider DBC project objectives and align to the direction of the wider DBC as it emerges
Activities	<ul style="list-style-type: none"> • Within the context of the wider DBC, update the evidence base to understand any relevant changes in strategic context, together with risks, issues, opportunities and challenges in undertaking interventions to address issues with Rocks Road. This should include safety, environmental, cultural and resilience factors.

ATTACHMENT 1 – Nelson Future Access Scope

	<ul style="list-style-type: none"> • Develop a range of options for enhancing walking and cycling on SH6 Rocks Road, in a manner consistent with the objectives of the wider DBC. This should build on the short list identified in the Nelson Southern Link Investigation PBC and be of sufficient detail to enable a robust multi-criteria assessment of the options to be undertaken. • Undertake a multi-criteria assessment of the options to identify the most viable package of activities (if any) to progress to pre-implementation. The criteria for the MCA should be developed to take cognisance of the DBC objectives as well as costs, benefits, matters relating to implementation of the options and enable a thorough assessment of the environmental and social impacts of the options compliant with the NZ Transport Agency's Environmental and Social Responsibility Screen and associated guidance for development of a Detailed Business Case. • Based on the emerging recommended Rocks Road programme determine whether further public and/or stakeholder engagement is required prior to completion of the single stage business case or whether prior consultation undertaken on Rocks Road improvements is sufficient. • Seek support for a recommended programme of activities (if any) and complete the single stage business case to enable the NZ Transport Agency to seek pre-implementation funding. • Ensure the outputs of any analysis, together with any relevant options, are captured within the wider DBC as appropriate.
Note	This process would overlap and run concurrently with the initial phases of the DBC process. Refer to the milestones and key approvals section of this document for more information.

Detailed business case

Strategic case	<ul style="list-style-type: none"> • Review and update the PBC strategic context to reflect current GPS direction, together with NZTA and NCC's wider policy settings, spatial context and priorities. • Update/confirm the evidence base. This will include, but is not limited to: <ul style="list-style-type: none"> ○ Customer and stakeholder insights – who is using the network and wants to use it, what matters most to them ○ Land use and future growth (including NCC/TDC Future Development Strategy) ○ CBD vitality ○ Resilience ○ Safety ○ Freight demand ○ Tourism growth ○ Public Transport demands and barriers to use ○ Walking and cycling demands and barriers to use ○ Network function and use – including rat running, summer peaks, conflicting demands • Undertake a new problems and benefits workshop with NCC and NZTA to define new investment objectives, taking account of revised strategic context and updated evidence base.
-----------------------	---

ATTACHMENT 1 – Nelson Future Access Scope

Economic case	<ul style="list-style-type: none"> • Develop a network operating hierarchy for the study area and the key arterial routes (by mode) in the adjoining area that connects to the Richmond/Stoke Network Operating Framework, to best meet the needs of customers and communities based on existing infrastructure and services. Assess the degree to which it supports a vibrant CBD, people focussed waterfront and a healthy environment; and contributes to the investment objectives. • Review the long list of options identified in the Nelson Southern Link Investigation PBC against the new investment objectives and determine whether any new and/or amended options are required. Assess the range of multi-modal investments and land-use levers required to give effect to the investment objectives and address network deficiencies (as identified above). This will include consultation with stakeholders and public. • Recommend a programme for investment • Refine and develop activities within the programme with the level of detail as set out below, and subsequently update the programme: <ul style="list-style-type: none"> ○ For activities proposed to be delivered within the next NLTP period, being 2021–24 – At a DBC level of detail with the next phase being pre-implementation/implementation ○ Delivery post 2024 – At an Indicative Business Case level of detail (with sufficient detail to identify a preferred programme including indicative scope, scale, location and timing of any improvements). Should a new long-term transport corridor be recommended, the development of the option needs to be sufficiently robust to identify: <ul style="list-style-type: none"> ▪ The recommended route (acknowledging that further route refinement would be necessary as part of any subsequent route protection processes) in sufficient detail to identify potential affected properties ▪ The form and function of the corridor, including concept design ▪ An indicative urban design framework ▪ The triggers for both route protection and delivery
Complete the business case	<ul style="list-style-type: none"> • Complete the commercial, financial and management cases of the DBC in compliance with NZTA requirements (including any multi-party funding agreements as required).

Stakeholder and community engagement

Activities	<ul style="list-style-type: none"> • Engagement with stakeholders and community is critical to the success of this project. • The consultant will be required to develop and maintain an engagement strategy and communications plan which is agreed jointly by NCC and NZTA. • Given the likely significant interest in the project from stakeholders and the community, the consultant should outline how they propose to resource and work with parties to deliver on best practice consultation principles, in accordance with relevant policies and guidelines of NCC and NZTA. • As a minimum we anticipate the following: <ul style="list-style-type: none"> ○ Re-establishment of a stakeholder reference group ○ Customer and key stakeholder insights would be required to shape evidence base, problems and investment objectives.
-------------------	--

ATTACHMENT 1 – Nelson Future Access Scope

	<ul style="list-style-type: none"> Community engagement on new investment objectives, short list options and recommended programme for the DBC Regular communications to keep stakeholders and community informed of progress
Note	The requirement for community engagement on short list improvements on Rocks Road will be considered during the development phase.

Milestones and key approvals

The indicative milestones and decision hold points are set out in Appendix A, noting these will be subject to further refinement as part of the tender negotiations.

Project Governance

The table below outlines the indicative project governance arrangements.

Role	Who	Key tasks	Meeting frequency (indicative only)
Governance group	<ul style="list-style-type: none"> NCC Mayor NRTC Chair NCC CE NZTA Director Regional Relationships 	<ul style="list-style-type: none"> Gateway to decision makers (NZTA, Council, RTC) Political/stakeholder alignment 	<ul style="list-style-type: none"> Quarterly Ahead of key milestones (as required)
Steering group	<ul style="list-style-type: none"> Senior officials from NCC (2) NCC consultant project advisor Senior officials from NZTA (1–2 e.g. SDD Portfolio Manager) 	<ul style="list-style-type: none"> Oversight of NCC/NZTA input, decision making and funding Risk management Endorse key work products 	<ul style="list-style-type: none"> Monthly and ahead of key milestones (as required)
Working group	<ul style="list-style-type: none"> 2–3 officials from NCC 1–2 officials from TDC 1–2 officials from NZTA (e.g. project manager) Rep from consultant project team 	<ul style="list-style-type: none"> Oversight of project delivery Coordinate NCC/TDC/NZTA input and resources 	<ul style="list-style-type: none"> Fortnightly/monthly (as required)
Note	NZTA has a separate approval pathway for decisions		

Appendix A: Milestones and Key Tasks

Milestones/Key Tasks		Dec 18	Jan 19	Feb 19	Mar 19	Apr 19	May 19	June 19	Jul 19	Aug 19	Sept 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	June 20	July 20	Aug 20	Sept 20	Oct 20	Nov 20	Dec 20
General	Stakeholders approve scope of DBC																									
	Procurement complete			Late Feb																						
	Engagement strategy - developed with NCC and NZTA				Late Mar																					
Discrete activities	Identification of discrete activities to be delivered 18-21																									
DBC	Update strategic context - DBC				Late Mar																					
	Problems and Benefits workshop					Mid Apr																				
	Customer stakeholder insights / consultation																									
	Finalise evidence base and confirm problems, benefits and investment objectives *						Late May																			
	Complete network hierarchy (including assessment) *						Late May																			
	Programme development and assessment																									
	Engage on Investment objectives and DBC programme options *																									
	Recommend programme *																									
	Engage on recommended programme *																									
	Complete refinement of programme																									
	Complete business case *																									
SH6 Rocks Rd - pre imp package	Update evidence base for Rocks Road																									
	Option refinement for Rocks Road walking and cycling																									
	Consider need for further consultation *																									
	Recommend programme to proceed to pre implementation *																									
	Finalise single stage business case (having regard to the programme development and assessment process in the wider DBC)																									
	* HOLD POINTS																									

Nelson Future Access: Memorandum of Understanding

1. Purpose of Report

- 1.1 To approve the signing of a Memorandum of Understanding (MoU) required by the New Zealand Transport Agency (NZTA) on the Nelson Future Access Project.

2. Recommendation

That the Regional Transport Committee

- 1. Receives the report Nelson Future Access: Memorandum of Understanding (R10077) and its attachment (A2162709); and***
- 2. Approves the signing of the Memorandum of Understanding with the New Zealand Transport Agency (A2162709).***

2. Background

- 2.1 Following approval of the Nelson Future Access Detailed Business Case by Council in December 2018, NZTA have requested that the NCC enter into an MoU to document how NZTA and NCC are to collaborate on the Nelson Future Access Project.
- 2.2 The Draft MoU is appended as Attachment A2162709.
- 2.3 The Draft MoU has been reviewed by Council's legal adviser and provided the content clearly reflects the intentions of the parties, she has no material concerns from a legal perspective. It is noted that the MoU is not legally binding, with the exception of the reimbursement of the NCC Specialist transportation planner costs, and in no way affects the exercise by the Council of its regulatory functions.

Item 9: Nelson Future Access: Memorandum of Understanding

Author: **Alec Louverdis, Group Manager Infrastructure**

Attachments

Attachment 1: A2162709 - Draft Memorandum of Understanding - Nelson
Future Access Project NZTA - NCC [↓](#)



Dated: 2 April 2019

MEMORANDUM OF UNDERSTANDING

Between

New Zealand Transport Agency

And

Nelson City Council

THIS MEMORANDUM OF UNDERSTANDING is dated

2 April 2019

PARTIES

- (1) ***New Zealand Transport Agency*** a Crown entity established under the Land Transport Management Act 2003, at The Majestic Centre (Level 5), 100 Willis Street, Wellington ("the Transport Agency")
- (2) ***Nelson City Council***, a unitary authority established under the Local Government Act 2002, at 110 Trafalgar St, Nelson. ("NCC")

BACKGROUND

- A. The purpose of this Memorandum of Understanding (MOU) is to record the principles and objectives of the parties, the parties intentions to collaborate and to provide a platform for the implementation of activities supporting the purpose and scope set out in clause 3 below.
- B. The Detailed Business Case (DBC) phase of the Nelson Future Access Investigation and the single stage Business Case (ssBC) phase of the Rocks Road Walking and Cycling project are collectively known as the Nelson Future Access Project (NFAP).
- C. The NFAP is led by the Transport Agency but supported by NCC and is the particular project which is the subject of this MOU.

IT IS AGREED AS FOLLOWS:

1. TERM AND LEGAL EFFECT OF MOU

- 1.1 This MOU is indicative only and is not legally binding with the exception of the reimbursement of NCC's Specialist Transportation Planner as detailed in clause 7.2.
- 1.2 This MOU commences on the date it is signed with the exception of clause 7.2 and will continue until the project is complete; or terminated by either party giving the other party one month's notice in writing.
- 1.3 This MOU applies to NCC and the Transport Agency in their operating capacities and not in their regulatory capacities and does not in any way affect the exercise of either parties' regulatory function.

2. GUIDING PRINCIPLES

- 2.1 The Parties, recognising the respective roles and statutory functions and powers (if any) of the other party, agree:
 - (a) To work together in the spirit of partnership, sincerity and mutual respect;
 - (b) To maintain open and transparent communications, and to protect the confidentiality of information provided within their relationship;
 - (c) To be non-adversarial in dealings between the Parties and take constructive mutual steps both to avoid differences and to identify solutions; and
 - (d) Be open, prompt and fair in providing notifications and resolution between the Parties of any differences or disputes which may arise or be apprehended.

3. PURPOSE AND SCOPE

- 3.1 The Parties wish to collaborate and cooperate with each other in order to explore and develop the Nelson Future Access Project utilising the capabilities and expertise available to each Party.

4. ROLE OF PARTIES

- 4.1 The Transport Agency will lead the project(s) in terms of financial resources and technical expertise. The Transport Agency will procure the main and supporting consultants to deliver the business cases as well as provide resource to manage the suppliers and the Transport Agencies' own internal and external processes.
- 4.2 The NCC will provide internal and external resources to manage its own internal processes for reporting and communications and to contribute to the NFAP in terms of inputs and review of the technical workstreams.

5. CONFIDENTIALITY

- 5.1 Except as permitted by clause 5.2, each party shall keep the other party's Confidential Information confidential and shall not disclose such Confidential Information to any person or use such Confidential Information for any purpose other than the purpose of the Nelson Future Access Project development.
- 5.2 Notwithstanding clause 5.1, either party may disclose any Confidential Information: (a) to its professional advisers, auditors or bankers on a need to know basis; or (b) if and to the extent disclosure is required by law or the rules of any registered securities exchange upon which the party's securities are listed, provided that party gives the other party notice of the requirement as soon as practicable before such disclosure is made; or (c) if and to the extent the information is obtained or developed independently of the information disclosed by the disclosing party.
- 5.3 In this MOU, **Confidential Information** means any information of a sensitive nature (whether or not specifically identified as confidential), the subject matter and existence of this MOU, any information about the Parties, or their businesses, personnel, or their clients that is not already in the public domain and includes all personal information (as defined in section 2(1) of the Privacy Act 1993).

6. INTELLECTUAL PROPERTY

- 6.1 All intellectual property brought by each party to the relationship under this MOU remains in the ownership of that party.
- 6.2 In this MOU, **intellectual property** means copyright, trade marks, designs, patents, trade secrets or layout designs, whether registered or not, know how, techniques, ideas, concepts, procedures or improvements in procedures, and trade or professional secrets.
- 6.3 Use of logos or other corporate identification must be agreed to in writing by each part on a case by case basis.

7. COSTS

- 7.1 Costs: Each party shall bear its own costs and expenses incurred in the negotiation, preparation and implementation of this MOU except as provided for under clause 7.2 below:
- 7.2 The Transport Agency shall reimburse NCC the costs associated with provision of its Specialist Transportation Planner consultant at an agreed rate with the total maximum sum capped at \$60,000 plus disbursements and GST for the duration of the Detailed Business Case starting at 1 February 2019.

8. PROBLEM RESOLUTION

- 8.1 The parties will work together in good faith with a view to resolving any problems or differences between the parties in relation to the interpretation or performance of this MOU.
- 8.2 If the problem or difference cannot be settled in this way, it will be referred to the parties set out in 9.1. The parties will in good faith meet and negotiate with a view to resolving the dispute or difference as quickly as possible.
- 8.3 If the problem or difference cannot be settled by the Representatives within 10 Business Days, it will be referred to the relevant Manager of the parties or their approved delegates. The Managers or their approved delegates will in good faith meet and negotiate with a view to resolving the problem or difference as quickly as possible.
- 8.4 In this MOU, **Business Day** means any day other than a Saturday, a Sunday or a public holiday in Wellington or Nelson.

9. GENERAL

- 9.1 Notices: Each notice under this MOU (each a "notice") shall be in writing and delivered personally or sent by post or email to the address of the relevant party set out below (or to any other address from time to time designated for that purpose by the relevant party by notice to the other party):

Party A:	NZ Transport Agency The Majestic Centre (Level 5) 100 Willis Street PO Box 5084 Wellington 6140	Party B:	Nelson City Council Civic House 110 Trafalgar Street PO Box 645 Nelson 7040
For:	Coral Aldridge Acting Team Leader Walking and Cycling	For:	Alec Louverdis – Manager Group Manager Infrastructure
Email:	coral.aldridge@nzta.govt.nz	Email:	alec.louverdis@ncc.govt.nz

A notice under this MOU is deemed to be received if: (a) delivered personally, when delivered; (b) posted, 5 days after posting; (c) sent by email, when actually received in readable form by the recipient.

- 9.2 Amendments: No amendment to this MOU will be effective unless it is in writing and signed by the parties.
- 9.3 Relationship of parties: The parties are independent, and this MOU does not create any partnership, joint venture, agency or employment relationship between them.
- 9.4 Survival: Following termination or expiry of this MOU, clauses 5 and 6 will remain in effect.
- 9.5 Waiver: A waiver of a right under this MOU is ineffective unless it is in writing.

- 9.6 Governing law and jurisdiction: This MOU is governed by New Zealand law and the parties irrevocably submit to the non-exclusive jurisdiction of the New Zealand courts.
- 9.7 Counterparts: This MOU may be executed in any number of counterparts (including any facsimile or scanned PDF counterpart), each of which shall be deemed to be an original, but all of which together shall constitute the same instrument. No counterpart shall be effective until each party has executed at least one counterpart.

SIGNED BY

SIGNED for and on behalf of)
The Transport Agency by)

Signature

[Print Name])

Position

SIGNED for and on behalf of
Nelson City Council by

Signature

[Print Name])

Position

SIGNED for and on behalf of
Nelson City Council by

Signature

[Print Name])

Position