



Notice of the extraordinary meeting of the

Infrastructure Committee

Kōmiti Hanganga

Date:	Thursday 7 May 2020
Time:	10.00a.m.
Location:	Via Zoom

Agenda

Rārangi take

Chair	Cr Brian McGurk
Deputy Chair	Cr Rohan O'Neill-Stevens
Members	Her Worship the Mayor Rachel Reese
	Cr Yvonne Bowater
	Cr Trudie Brand
	Cr Mel Courtney
	Cr Kate Fulton
	Cr Judene Edgar
	Cr Matt Lawrey
	Cr Gaile Noonan
	Cr Pete Rainey
	Cr Rachel Sanson
	Cr Tim Skinner

Pat Dougherty
Chief Executive

Quorum: 7

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.

Infrastructure Committee

Areas of Responsibility:

- Bylaws, within the areas of responsibility
- Transport network, including, roading network and associated structures, walkways, cycleways and shared pathways, footpaths and road reserve, street lighting, traffic management control and parking.
- Water
- Wastewater, including Bell Island Wastewater Treatment Plant
- Stormwater and Flood Protection
- Solid Waste management, including transfer stations and waste minimisation
- Regional Landfill
- Recycling

Delegations:

The committee has all of the responsibilities, powers, functions and duties of Council in relation to governance matters within its areas of responsibility, except where they have been retained by Council, or have been referred to other committees, subcommittees or subordinate decision-making bodies.

The exercise of Council's responsibilities, powers, functions and duties in relation to governance matters includes (but is not limited to):

- Monitoring Council's performance for the committee's areas of responsibility, including legislative responsibilities and compliance requirements
- Developing, approving, monitoring and reviewing policies and plans, including activity management plans and the Infrastructure Strategy
- Reviewing and determining whether a bylaw or amendment, revocation or replacement of a bylaw is appropriate
- Undertaking community engagement, including all steps relating to Special Consultative Procedures or other formal consultation processes
- Approving submissions to external bodies or organisations, and on legislation and regulatory proposals
- Hear, consider and decide all applications for road stopping

Powers to Recommend to Council:

In the following situations the committee may consider matters within the areas of responsibility but make recommendations to Council only (in accordance with sections 5.1.3 - 5.1.5 of the Delegations Register):

- Matters that, under the Local Government Act 2002, the operation of law or other legislation, Council is unable to delegate
- The purchase or disposal of land or property relating to the areas of responsibility, other than in accordance with the Long Term Plan or Annual Plan
- Unbudgeted expenditure relating to the areas of responsibility, not included in the Long Term Plan or Annual Plan
- Decisions regarding significant assets

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 20 February 2020

7 - 13

Document number M6710

Recommendation

That the Infrastructure Committee

- 1. Confirms the minutes of the meeting of the Infrastructure Committee, held on 20 February 2020, as a true and correct record.***

6. Chairpersons Report**14 - 16**

Document number R14838

Recommendation

That the Infrastructure Committee

- 1. Receives the report Chairpersons Report (R14838); and***
- 2. Endorses the streamlined procurement process essential to the economic recovery of Nelson.***

7. COVID-19 Implications on Infrastructure 17 - 20

Document number R16991

Recommendation

That the Infrastructure Committee

- 1. Receives the report COVID-19 Implications on Infrastructure (R16991); and***
- 2. Notes the challenges facing the Infrastructure Group as a result of the COVID-19 shut-down including the risk to delivery and increased costs.***

8. Accessible Streets Regulatory Package 2020: Submission to the Ministry of Transport 21 - 40

Document number R16939

Recommendation

That the Infrastructure Committee

- 1. Receives the report Accessible Streets Regulatory Package 2020: Submission to the Ministry of Transport (R16939) and its attachment (A2365818); and***
- 2. Approves retrospectively the Nelson City Council's submission to the Ministry of Transport (A2365818) attached to Report R16939.***

9. Infrastructure Fees and Charges 2020-2021 41 - 46

Document number R13674

Recommendation

That the Infrastructure Committee

- 1. Receives the report Infrastructure Fees and Charges 2020-2021 (R13674) and its attachment (A2325209); and***

2. ***Notes that the Consumer Price Index will be applied to all Utilities and Roading charges effective 1 July 2020; and***
3. ***Approves an 8% increase to Solid Waste charges at the Pascoe Street transfer station as reflected in Attachment A2325209 of Report R13674, effective 1 July 2020.***

CONFIDENTIAL BUSINESS

10. Exclusion of the Public

Recommendation

That the Infrastructure 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	Nelmac - Utilities Maintenance and Operations Contract	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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Wastney Terrace Stormwater Upgrade - Property Negotiations	Section 48(1)(a) The public conduct of this matter would be likely to result in	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Involves land easement negotiations	disclosure of information for which good reason exists under section 7	without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)



Minutes of a meeting of the Infrastructure Committee

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

On Thursday 20 February 2020, commencing at 10.02a.m.

Present: Councillor B McGurk (Chairperson), Her Worship the Mayor R Reese, Councillor Y Bowater, Councillor T Brand, Councillor M Courtney, Councillor J Edgar, Councillor K Fulton, Councillor M Lawrey, Councillor R O'Neill-Stevens (Deputy Chairperson), Councillor G Noonan, Councillor P Rainey, Councillor R Sanson and Councillor T Skinner

In Attendance: Group Manager Infrastructure (A Louverdis) and Governance Adviser (J Brandt)

Apology: Her Worship the Mayor R Reese for lateness and early departure

1. Apologies

Resolved IC/2020/001

That the Infrastructure Committee

- 1. Receives and accepts an apology from Her Worship the Mayor R Reese for lateness and early departure.***

Courtney/Lawrey

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

Councillor Rainey noted that he had resigned from the Nelson Centre of Musical Arts as Trustee.

4. Public Forum

4.1 Nelsust - Default Footpath Design

Attendance: Her Worship the Mayor R Reese joined the meeting at 10.04a.m.

Peter Olorenshaw gave a Powerpoint presentation (A2346716) showing different types of footpath design which had cycle lanes and trees incorporated, woonerf roads and setback corner design for safe street intersections. Mr Olorenshaw requested that Council considers changing its default footpath design as part of the envisaged modal shift.

Attachments

- 1 A2346716 - Powerpoint Nelsust

4. Confirmation of Minutes

4.1 21 November 2019

Document number M4139, agenda pages 6 - 13 refer.

Resolved IC/2020/002

That the Infrastructure Committee

- 1. Confirms the minutes of the meeting of the Infrastructure Committee, held on 21 November 2019, as a true and correct record.***

O'Neill-Stevens/Sanson

Carried

5. Chairperson's Report

Document number R14808, agenda pages 14 - 15 refer.

The Chairperson spoke about parking meters, recycling and the novel coronavirus. He further noted that on 12 December 2020, due to tight timeframes and to allow officers to move the matters forward before Christmas, Council had considered two reports where the delegations sat under the Infrastructure Committee, namely the Parking and Vehicle Control Bylaw changes to accommodate new parking technology (R11510) and the Infrastructure Capital Projects Supplementary Report: Additional Funding (R13669).

Resolved IC/2020/003

That the Infrastructure Committee

- 1. Receives the Chairperson's Report (R14808).***

McGurk/Lawrey

Carried

6. Waste Disposal Landfill Levy: Submission to Ministry for the Environment

Document number R13706, agenda pages 16 - 33 refer.

Manager Transport and Solid Waste, Marg Parfitt, and Activity and Operations Supervisor - Solid Waste, Terry Dwyer, presented the report and answered questions about product stewardship and the landfill levy.

Resolved IC/2020/004

That the Infrastructure Committee

- 1. Receives the report Waste Disposal Landfill Levy: Submission to Ministry for the Environment (R13706) and its attachment (A2335002); and***
- 2. Approves retrospectively the Nelson City Council submission to the Ministry for the Environment on the Waste Disposal Levy (A2336149 - Attachment one of Report R13706).***

Edgar/Rainey

Carried

7. Residents Only Carpark permit fees

Document number R13763, agenda pages 34 - 41 refer.

Manager Transport and Solid Waste, Marg Parfitt, presented the report and answered questions about the possibility of applying CPI adjustments for resident only carpark permit fees to be added before the Parking Strategy would be undertaken in 2020/21.

The Committee discussed the use of the term moratorium and the lack of flexibility a moratorium may present in case of special circumstances.

Councillor Noonan, seconded by her Worship the Mayor, moved clause 3 of the recommendations:

That the Infrastructure Committee

3. *Approves a halt to issuing any new Resident Only Carpark permits until the Parking Review Strategy is undertaken, allowing for exemptions to be approved by the GM Infrastructure and Chair of the Infrastructure Committee on a case-by-case basis, for special circumstances based on essential need.*

It was noted that the exemption process would be an additional step in the approval process, as any applications exempted from such a halt would require a decision by the Hearings Panel - Other.

Committee members discussed the recommendation, a variety of views were expressed and the decision was made to take the motion in parts.

Resolved IC/2020/005

That the Infrastructure Committee

1. ***Receives the report Residents Only Carpark permit fees (R13763); and***

Lawrey/Sanson

Carried

Resolved IC/2020/006

2. ***Defers any decision on adjusting fees for Residents Only Carpark permits until further work on modal shift, including a Parking Strategy review, is carried out in the 2020/21 financial year subject to approval in the 2020/21 Annual Plan for this work; and***

Lawrey/Sanson

Carried

Resolved IC/2020/007

3. ***Approves a halt to issuing any new Resident Only Carpark permits until the Parking Review Strategy is undertaken, allowing for exemptions to be approved by the GM Infrastructure and Chair of the Infrastructure Committee on a case-by-case basis, for special circumstances based on essential need.***

Noonan/Her Worship the Mayor

Carried

The meeting was adjourned from 11.23a.m. to 11.32a.m.

8. Infrastructure Quarterly Report to 31 December 2019

Document number R13740, agenda pages 42 - 99 refer.

Manager Transport and Solid Waste, Marg Parfitt, Manager Capital Projects, Lois Plum, and Manager Utilities, David Light, presented the report. Officers noted that where possible, data to the end of January 2020 had been included in the report. They further highlighted new projects underway and those ahead of schedule.

Officers answered questions regarding safe road network targets, safety concerns for students needing to cross Waimea Road, alternative routes for walking school buses and Waimea Road traffic modelling as a prerequisite to future decision making.

Councillor Rainey raised a Point of Order against Councillor Fulton that the question about traffic lights and roundabouts on Waimea Road was irrelevant. The Point of Order was upheld.

Further questions were answered regarding the stormwater and sewerage renewal in Washington Valley and an update given to the work underway for the railway reserve underpass.

The Mayor provided the Committee with information relating to the Princes Drive/ Waimea Road intersection and consenting.

Councillor Noonan raised a Point of Order against Councillor Lawrey that the question of whether or not it was the developer's original plan to connect the new road from Princes Drive to Beatson Road was irrelevant. The Point of Order was upheld.

Resolved IC/2020/008

That the Infrastructure Committee

- 1. Receives the report Infrastructure Quarterly Report to 31 December 2019 (R13740) and its attachments (A2336640 and A2336638).***

Noonan/Edgar

Carried

9. Exclusion of the Public

Resolved IC/2020/009

That the Infrastructure 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:**

Skinner/Brand

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	Infrastructure Committee Meeting - Public Excluded Minutes - 21 November 2019	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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 12.13p.m. and resumed in public session at 12.14p.m.

The only business transacted in confidential session was to confirm the minutes. In accordance with the Local Government Official Information Meetings Act, no reason for withholding this information from the public exists therefore this business has been recorded in the open minutes.

10. Confirmation of Minutes

10.1 21 November 2019

Document number M6678, agenda pages 3 - 3 refer.

Resolved IC/2020/010

That the Infrastructure Committee

- 1. Confirms the minutes of part of the meeting of the Infrastructure Committee, held with the**

public excluded on 21 November 2019, as a true and correct record.

Skinner/Bowater

Carried

11. Re-admittance of the Public

Resolved IC/2020/011

That the Council

1. Re-admits the public to the meeting.

Skinner/Bowater

Carried

There being no further business the meeting ended at 12.14p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Chairperson's Report

1. Chairs foreword

- 1.1 My Chair's report provides an update on the Covid-19 response generally, and how this has impacted on the Council's procurement process. It also details the progress of two significant projects/initiatives that fall under this committee's responsibility, and highlights a recent architectural success.

2. Recommendation

That the Infrastructure Committee

- 1. Receives the report Chairperson's Report (R14838); and***
- 2. Endorses the streamlined procurement process essential to the economic recovery of Nelson***

3. Update

Covid 19 Response

- 3.1 When the country moved to Alert Level 4 lock down at 11.59 p.m. on 24 March 2020 the city's critical infrastructure, deemed essential services, continued to function effectively and efficiently.
- 3.2 The water treatment plant continued to supply high quality potable water to residents and the city's waste water pumping stations and the treatment plant continued to function. Approximately 20,000 m³/day of potable water was supplied through the water treatment plant.
- 3.3 Measures were put in place to ensure contracting staff were not exposed to risk and additional chemical supplies ordered to ensure continuity of services.
- 3.4 With respect to roading maintenance, work that continued over the shut-down included reactive and preventative maintenance to ensure the ongoing safety and accessibility of the transport network. This included

Item 6: Chairpersons Report

regular inspections and work on critical sections of our network to 'waterproof' parts of our arterial and collector roads, critical to ensuring the assets perform through the upcoming winter. That work commenced on 20 April as allowed by NZTA's *COVID19 National Maintenance Workstream Response Plan*, which specifically allowed for work to be undertaken on the network where resilience and safety is deemed critical. Work on the section of road north of the Champion Road roundabout has been completed with work is now planned for areas of Main Road Stoke (North of Fire Station and Polstead Road), Songer Street and Vickerman Street.

- 3.5 On behalf of this committee I wish to express my appreciation to the officers and contractors for maintaining our critical water supply, wastewater, stormwater, solid waste and transport/roading services during these unprecedented times.

Procurement streamlining process

- 3.6 This is a time when the Council needs to be responsive and nimble to assist the region's recovery and Council's procurement policy has been streamlined to allow physical works to start with urgency during the rebuild and recovery phases arising from Covid-19 pandemic emergency.
- 3.7 The streamlined process will remain in place for 12 months and will be reviewed thereafter. The exception will enable physical works valued up to \$2M to be assigned on an equitable basis to a selected core group of competent local contractors, who are members of the NZ Civil Contractors Federation and have an established and proven track record with Council.
- 3.8 Works in excess of the \$2M will be subject to pricing from contractors who are interested in a particular contract, such as the Awatea pump station upgrade, Gracefield Diversion and the Saxton Creek upgrade. These will be referred to the Tenders Subcommittee who will meet urgently as required.
- 3.9 Officers will still be producing high quality drawings and schedule of quantities that will enable officers to ensure that both Council and its ratepayers are still getting value for money.
- 3.10 Council's consultant's panel has also been expanded to include two more locally based firms.

Recycling changes

- 3.11 The recommendation from the last meeting of the Infrastructure Committee, and confirmed by Council on 13 December 2019, was to cease collection of plastics 3, 4, 6 and 7 from 1 July 2020.
- 3.12 Amongst the actions was a comprehensive public communication plan (which is underway) and letters to local supermarkets and other retailers advising of the Council decision (completed) and asking them for their leadership in phasing out the use of these plastic classes in their stores

Item 6: Chairpersons Report

and from their suppliers. Since then the feedback has been very positive, and Council has been applauded for its clear stance on the issue.

- 3.13 In the meantime, officers are working with other councils and the Ministry for the Environment (MfE) to standardise presentation of materials for kerbside recycling (i.e. lids on or off, type of plastics collected etc) and standardised kerbside collection systems for recycling, rubbish and organics.
- 3.14 It is unfortunate that while the Materials Recycling Facility (MRF) has remained closed under Alert Level 4 and Alert Level 3 that all recycling materials collected at kerbside have been going directly to landfill. Residents are however encouraged to store recycling at home, if they have the capacity until the MRF begins operating again. Notwithstanding this, the proposed collection changes are still planned to come into effect on 1 July 2020.

Parking meters

- 3.15 The contract for the supply and installation of Pay-by-Plate parking meters has been awarded with the new parking meters still planned to be installed late June across the entire CBD. Coins will still be able to be used to pay for parking as well as other methods. A comprehensive communication plan will be developed in advance of the roll-out of the new parking meters.

Saltwater Creek Bridge

- 3.16 The new Saltwater Creek Bridge won the award for Exterior Structure Design for the detail and use of timber at the recent NZ Wood Timber Design Awards. The bridge was designed by local architectural firm JTB Architects, and was commissioned by Council to replace the narrow footbridge as part of the upgrade to City to Sea cycleway, connecting the Maitai Pathway through to the Marina and Haven Road

Author: **Brian McGurk, Chairperson**

Attachments

Nil

REPORT R16991

COVID-19 Implications on Infrastructure

1. Purpose of Report

- 1.1 To advise the Committee on the effects the COVID-19 shut-down has had on the Infrastructure Group.

2. Recommendation

That the Infrastructure Committee

- 1. Receives the report COVID-19 Implications on Infrastructure (R16991); and***
- 2. Notes the challenges facing the Infrastructure Group as a result of the COVID-19 shut-down including the risk to delivery and increased costs.***

3. Background

- 3.1 The COVID-19 lockdown has temporarily slowed Council's capital delivery programme. That aside, staff and consultants are still working from home on the delivery of the capital works programme.
- 3.2 Notwithstanding this adjustment, the anticipated forecast of \$23.9million expected to the end of June will not be achieved. With work commencing on site again on 27 April, the forecast spend is \$17.7 million
- 3.3 The implication of the lock down will result in a carry-over of around \$5.4m putting the capital spend for 2020/21 at around \$33.6m.(if the capital expenditure in the draft Annual Plan remains unchanged).
- 3.4 This budget excludes any work that may come Nelson's way from the Provincial Growth Fund or the Crown Infrastructure Fund initiative to which we have made application. It also excludes the capital expenditure of \$3.1m for footpath widening also on this agenda.
- 3.5 It is acknowledged that getting works underway and spending on projects is critical to Nelson's economic recovery. A revised streamlined tendering process is well underway and officers are working closely with

Item 7: COVID-19 Implications on Infrastructure

the local contractors and an expansion of the consultants' panel to fast track design work.

- 3.6 However spending an increased budget, under trying times, will be a challenge. Notwithstanding this, officers are fully committed to doing whatever is necessary to be part of rejuvenating our City and our region.
- 3.7 In this matter officers have identified that at least two additional project managers are needed to manage the workload. Work is underway to secure that resource, the costs of which will be charged to the capital works programme.
- 3.8 It is also worthwhile noting that Central Government has imposed very strict "back-to-work" protocols that will initially also slow down works on site as contractors get familiar with these new requirements.
- 3.9 Council is also processing a number of time extension claims from contractors as a result of the shut-down. Relationships between Council and all contractors are very strong with communication channels remaining open throughout the lock-down.

4. Discussion

4.1 Public transport

Public transport on Nbus has continued throughout level 4. A timetable based on Saturday services, with additional services added, commenced on 26 March to ensure essential workers could travel and trips could be made to access essential services. The bus services have been made free of fares until 30 June or whilst Alert Level 4 and 3 remain in place. This move was primarily to protect drivers and support rear door entry to buses. NZTA has worked closely with councils and has provided certainty regarding additional funding required to support these services and off set lost revenue to the Nbus contracted operator under a net contract.

- 4.2 Total Mobility - Total mobility services continue with the increased NZTA subsidy. Council contributions have not changed.

4.3 Transport and roading matters

- All normal maintenance operations have resumed. No traffic counting has been undertaken under level 4 other than the ground loops at screen lines which continue to collect data. Travel Demand Management and Road Safety work has continued at a planning level but no community events, or school based delivery has occurred.
- Street litter collection has continued as normal (including park bins and doggy doo bags). Fly tipping volumes have increased.
- The Hampden Street trial closure monitoring report, due to come back to committee in May, has been deferred due to the

Item 7: COVID-19 Implications on Infrastructure

unavailability of meaningful traffic count data during COVID levels 4 and 3.

- Planned community engagement for the Kawai Street Innovative Streets pilot has also been placed on hold

4.4 Electrical Maintenance - All normal work has resumed.

4.5 Activity Management Plans - Work on the Activity Management Plans continues as normal.

4.6 Waste minimisation

A number of activities have been put on hold during the shut-down including Second-hand Sunday, home composting engagement programme, consideration of subsidies to avoid the creation of waste (e-waste, composting, children's car seat recycling), and activities to engage the building sector in waste reduction.

4.7 Recycling, landfill and transfer station

- The Material Recycling facility (MRF) was closed under level 4 and this closure will remain in place until Alert Level 2. Recycling (yellow bins and glass) has continued to be collected at kerbside. Without the MRF open yellow bins are going to landfill but volumes are down, partly due to there being less junk mail, and some customers storing recycling at home.
- Glass is still being sent to Auckland for recycling, but volumes are down by around 15%.
- Pascoe Street transfer station hoppers, public recycling drop off and green waste disposal were closed at Alert Level 4. The Transfer Station will re-open at Alert level 3. The NEC re-use shop and the public recycling drop-off will remain closed until Alert Level 2.
- The Joint Regional Landfill at York Valley is operating as normal. Under level 4 the landfill was closed on Saturdays.

4.8 Utilities

- The services managed within the Utilities Business Unit were an essential service and have continued to operate throughout COVID-19.
- A small amount of non-essential work including the proactive renewal of backflow prevention devices, tide gates and commercial flow meters was deferred until level 3, which may result in a minor carryover into next financial year.
- Officers are still awaiting direction from the Crown Institute of Environmental Science and Research (ESR) on the testing of the wastewater stream for COVID-19.

Item 7: COVID-19 Implications on Infrastructure

4.9 Capital Project Delivery – an update of major projects is provided below.

- Tahunanui Cycle Path, Annesbrook watermain, Saxton Creek stage 3, St Vincent Street sewer, Poormans stream culvert and the Railway Reserve cycle underpass work, all closed under Alert Level 4, are now back on site.
- Supply chain of product and materials has and will continue to impact the timelines.
- The ability for officers to undertake planned public consultation (door to door), has resulted in delays. Alternative options are being progressed.
- Staff have continued to work effectively from home, engaging with our Contractors and our Consultants to support pushing work forward.

5. Conclusion

- 5.1 The COVID-19 shut-down has slowed down the progress of physical works on site and as a result the original forecast to the end of the year will not be achieved.
- 5.2 Work has however re-commenced on site (with new strict on site protocols in place), and this will aid the recovery of the local economy. Productivity will however be slowed with these new working protocols and officers will be monitoring this.
- 5.3 The streamlined procurement process for the next 12 months will certainly place Council in the best possible position to enable works to be awarded efficiently. Officers will still ensure that the necessary checks and balances are in place to ensure that the City receives excellent value for money. It is expected however that prices will increase over the short-term as contractors factor the new on site working protocols into their prices.

Author: Lois Plum, Manager Capital Projects

Attachments

Nil

Accessible Streets Regulatory Package 2020: Submission to the Ministry of Transport

1. Purpose of Report

- 1.1 To retrospectively approve the Nelson City Council's submission to the Ministry of Transport (MoT) on the Accessible Streets Regulatory Package 2020.

2. Summary

- 2.1 The MoT is proposing a collection of rule changes known as the Accessible Streets Regulatory Package (Package). These rules are designed to improve safety for footpath users, encourage active modes of transport, and support the creation of more liveable and vibrant towns and cities.
- 2.2 The Government opened consultation on the Package on 9 March 2020, with submissions closing on 22 April 2020.
- 2.3 A workshop was held with Councillors on 16 March and, in consultation with the Chair of the Infrastructure Committee, a pro forma submission was prepared and submitted on behalf of Nelson City Council (NCC). Retrospective approval of the submission is required from this Committee.

3. Recommendation

That the Infrastructure Committee

- 1. Receives the report Accessible Streets Regulatory Package 2020: Submission to the Ministry of Transport (R16939) and its attachment (A2365818); and***
- 2. Approves retrospectively the Nelson City Council's submission to the Ministry of Transport (A2365818) attached to Report R16939)***

4. Background

- 4.1 The Package is a set of national rule changes to support a move away from private vehicle use in urban centres to more energy efficient, low-cost and healthier transport options like walking, cycling and public transport.
- 4.2 The package is designed to:
- make our footpaths, shared paths, cycle lanes, cycle paths and roads safer and more accessible
 - accommodate the increasing use of micro-mobility devices like e-scooters on our streets and footpaths
 - encourage active modes of transport and support the creation of more liveable and vibrant towns and cities
 - make social and economic opportunities more accessible
 - make public transport (buses) and active transport modes such as walking or cycling safer and more efficient
- 4.3 The new and amended rules also give effect to the 2018/19-2027/28 Government Policy Statement on Land Transport (GPS 2018). This outlines a significant shift in land transport investment to prioritise:
- Accessible and affordable transport
 - Safety
 - Liveable cities
 - Regional economic development
 - Protecting the environment and
 - Delivering the best possible value for money.

5. Discussion

- 5.1 There are nine main proposals for new and amended rules. A full copy of the detailed submission is attached (A2365818). A summary is provided below:
- 5.2 Proposal 1 changes current vehicle and device definitions and creates new categories to better regulate new and emerging devices and where and how they are used. Council supports this proposal.
- 5.3 Proposal 2 establishes a national framework for the use of footpaths and introduces conditions that users need to follow when using the footpath. For the safety of others sharing the footpath, people riding on the

Item 8: Accessible Streets Regulatory Package 2020: Submission to the Ministry of Transport

footpath under the new rule must behave in a courteous and considerate manner, travel in a way that is not dangerous for other people using the footpath, give right of way to pedestrians and travel no faster than 15km/h. Council supports this proposal and has submitted that pedestrian safety is paramount.

- 5.4 Proposal 3 establishes a national framework for the use of shared paths and cycle paths. A person using a shared path or cycle path must travel in a careful and considerate manner, at a speed that is not dangerous to other people on the path and in a way that doesn't interfere with other people using the path. Council supports this proposal and has submitted that we strongly encourage the MoT and New Zealand Transport Agency (NZTA) invest in a large and robust communication plan and education campaign to embed these behaviours in societal norms.
- 5.5 Proposal 4 enables transport devices such as electric scooters to use cycle lanes and cycle paths. Council has submitted support for this and stated it will make footpaths safer by providing a safer alternative for transport device users who want to travel faster than 15km/h.
- 5.6 Proposal 5 introduces lighting and reflector requirements for powered transport devices at night. Council submitted strong support for this proposal.
- 5.7 Proposal 6 introduces a number of rule changes aimed at removing barriers to walking, transport device use and cycling through rule changes. The proposals change the priority of road users, by allowing cycles and transport devices to ride straight ahead from a left turn lane to pass slow-moving vehicles on the left. The rules also clarify that turning traffic must give way to all people using separated lanes, including buses, if those people are travelling straight through at an intersection. It is proposed to give greater priority to people on footpaths and shared paths when they are crossing side roads with minimum markings (two white lines). Council's submission supports these rule changes but has stressed that safety is paramount and strong educational campaigns led by the NZTA will be required.
- 5.8 Proposal 7 mandates a minimum overtaking gap for motor vehicles passing cycles, transport devices, horses, pedestrians and people using mobility devices on the road. Council supports this proposal.
- 5.9 Proposal 8 clarifies how road controlling authorities can restrict parking on berms and Council has expressed support for a nationally consistent approach.
- 5.10 Proposal 9 requires road users to give way to signalling buses pulling out of bus stops in urban areas, when the speed limit is 60km/h or less. Council has strongly supported this.

Item 8: Accessible Streets Regulatory Package 2020: Submission to the Ministry of Transport

6. Options

- 6.1 Two options are presented to the Committee to either retrospectively support the submission or not to support the submission. Officers recommend Option one.

Option 1: Retrospectively approve the pro-forma submission on Accessible Street Regulatory package to the Ministry of Transport	
Advantages	<ul style="list-style-type: none">• Signals support for changes to Road User Rules influencing sustainable travel.• Supports Councils focus on developing and supporting a more sustainable transport culture
Risks and Disadvantages	<ul style="list-style-type: none">• None
Option 2: Do not retrospectively approve the pro-forma submission on Accessible Street Regulatory package to the Ministry of Transport	
Advantages	<ul style="list-style-type: none">• None
Risks and Disadvantages	<ul style="list-style-type: none">• Lack of clear position statement on Accessible Streets Package if submission withdrawn• Does not support Councils focus on supporting a more sustainable transport culture

7. Conclusion

- 7.1 NCC is supportive in general with the proposed changes and believe that these will achieve the desired outcomes.

8. Next Steps

- 8.1 MoT will collate responses and provide advice to the Associate Minister of Transport. If approved, it is proposed that the rules will take effect in the 2020–2021 financial year.

Author: Margaret Parfitt, Manager - Transport and Solid Waste

Attachments

Attachment 1: A2365818 Accessible Streets Package - Nelson City Council Submission [↓](#)

Important considerations for decision making
<p>1. Fit with Purpose of Local Government</p> <p>The submission is aligned with the purpose of Local Government in enabling “democratic decision-making and action by, and on behalf of, communities” as it reflects the views of elected Councillors. The submission considers current and future needs of communities in contributing to safe use of the roading and footpath network in the City</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>The recommendations in this report support the following Nelson City Council Community Outcomes – “Our unique environment is healthy and protected”; “Our infrastructure is efficient, cost effective and meets current and future needs”; “Our communities are healthy, safe, inclusive and resilient” and “Our region is supported by an innovative and sustainable economy”.</p>
<p>3. Risk</p> <p>Not providing feedback on the Government proposal risks perception that Council is uninterested and/or that the final approved proposal will not have considered Council’s view.</p> <p>These proposals have potential to improve the move to a more sustainable transport culture in our region.</p> <p>By not supporting these proposals there is a risk that without a clear position, Council will not be best placed to engage on the development of future sustainable transport programmes.</p>
<p>4. Financial impact</p> <p>The proposed changes may result in additional funding requirement for transport infrastructure but are in line with the GPS on transport and are expected to attract subsidy. These will be included in the next Transport Activity Management Plan for approval.</p>
<p>5. Degree of significance and level of engagement</p> <p>This matter is of medium significance because everyone who uses the transport network will be affected by these proposed changes. The Accessible Streets Package is being led by the MoT and open consultation has been widely published.</p>
<p>6. Climate Impact</p> <p>Transport is a large contributor to greenhouse gas emissions, so any action taken to support and enable active modes has potential to improve environmental well-being.</p>

7. Inclusion of Māori in the decision making process

No engagement with Māori has been undertaken in preparing this report.

8. Delegations

The Infrastructure Committee has the following delegations to consider

Areas of Responsibility:

- *Transport network, including, roading network and associated structures, walkways, cycleways and shared pathways, footpaths and road reserve, street lighting, traffic management control and parking.*

Delegations:

- *The committee has all of the responsibilities, powers, functions and duties of Council in relation to governance matters within its areas of responsibility, except where they have been retained by Council, or have been referred to other committees, subcommittees or subordinate decision-making bodies.*
- *The exercise of Council's responsibilities, powers, functions and duties in relation to governance matters includes (but is not limited to):*
- *Approving submissions to external bodies or organisations, and on legislation and regulatory proposals.*

**Draft Submission by
Nelson City Council
Accessible Streets Regulatory Package 2020**

1.0 INTRODUCTION AND OVERALL COMMENTS

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1.1 Nelson City Council (NCC) welcomes the opportunity to make a submission to the Accessible Streets Regulatory Package 2020.

1.2 NCC notes that the Regulatory Package provides legislative mechanisms to support investment in and prioritisation of:

- safety for everyone using the road, paths and public transport, and
- access to economic and social opportunities in the land transport system.

1.3 NCC is supportive in general with the proposed changes and believe that these will achieve the desired outcomes.

Answers to the specific questions asked in the consultation document

• **Proposal 1A: Pedestrians and powered wheelchair users**

2. We are proposing to include people using powered wheelchairs in the pedestrian category.

How much do you agree or disagree with this proposal? *Strongly agree*

What was the reason for your rating? Do you have any other comments?

Council strongly supports clarity around categories and definitions of devices. Users of powered wheelchairs are particularly vulnerable and need to be at the top of the hierarchy of users, along with pedestrians. It is possible we will see more of this type of user as our population ages.

We would request however that the speed limit proposed for other users of footpaths, shared paths, cycle paths and cycle lanes should also apply to "Pedestrians" in its new scope - to ensure that power wheel chairs are also bound by any appropriate limits eg the 15km/h limit proposed on footpaths.

• **Proposal 1B: Changing wheeled recreational devices**

3. Our proposed change will replace the wheeled recreational device category with two new groups of devices:

- unpowered transport devices (for example push-scooters, skateboards) and
- powered transport devices (for example e-scooters, YikeBikes).

How much do you agree or disagree with this proposal? *Strongly agree*

What was the reason for your rating? Do you have any other comments?

A2365818

Believe that this will be a lot easier to understand and therefore administer. Also more likely to be reflective of the speeds that these devices are able to travel at, and therefore if necessary, to manage the permissions in regard to where they are allowed to operate.

4. We're proposing that the new category of powered transport devices will consist of low-powered devices that have been declared by the Transport Agency not to be a motor vehicle.

What steps (if any), do you think the Transport Agency should take before declaring a vehicle not to be a motor vehicle?

Council consider the steps taken to date, assuming they include a safety assessment, are adequate and the clarity around hierarchy of users will improve the real and perceived issues around conflict between users.

5. If the Transport Agency declares a vehicle to not be a motor vehicle, do you think it should be able to impose conditions? Yes

6. If yes, should the Transport Agency be able to apply conditions regardless of the power output of the device? Yes

What was the reason for your answer? Do you have any other comments?

Safety is paramount and if conditions need to be imposed to ensure the safety of both the users and others then so be it.

7. We propose to clarify that:

a) low powered vehicles that have not been declared not to be motor vehicles by the Transport Agency (e.g. hover boards, e-skateboards and other emerging devices) are not allowed on the footpath

b) these vehicles are also not allowed on the road under current rules, because they do not meet motor vehicle standards and cannot be registered.

c) if the Transport Agency declares any of these vehicles not to be motor vehicles in the future, they will be classified as powered transport devices and will be permitted on the footpath and the road (along with other paths and cycle lanes).

How much do you agree or disagree with this proposal? Agree

What was the reason for your rating? Do you have any other comments?

We urge NZTA to consider electric skateboards classification as a non-vehicle as soon as practicable as this omission seems inconsistent with the intention of the package and Council supports use of these as powered transport devices.

- **Proposal 1C: Clarifying cycles and e-bikes**

8. Child cycles that are not propelled by cranks, such as balance bikes, will be defined as transport devices.

How much do you agree or disagree with this proposal? *Strongly Agree*

What was the reason for your rating? Do you have any other comments?

It is noted that the unpowered devices are proposed to continue to have full access to footpaths but with additional requirements being put in place regarding to behaviour while using the footpath, will mean that there is in effect no change to the users current rights but there is better protection for "Pedestrians."

- **Proposal 1D: Mobility devices**

9. We're proposing that users of mobility devices will have the same level of access as pedestrians, but they will have to give way to pedestrians and powered wheelchair users.

How much do you agree or disagree with this proposal? *Strongly agree*

What was the reason for your rating? Do you have any other comments?

Council have received complaint about mobility scooters traveling at excessive speeds and without regard for other footpath users in the past. We welcome this clarity and restriction.

10. Do you think there will be any safety or access-related problems with mobility devices operating in different spaces? *Yes*

Please explain.

Concern has been expressed about the ability of some mobility scooter users to safely operate devices in different spaces if no assessment is made. For example some may have hearing or visual impairment, some may have never driven and have no knowledge of road rules.

11. We intend to review the mobility device category at a later date. What factors do you think we need to consider?

Council supports the width restriction and the view that "twizys" are not suitable for footpath use. Assessment of users capability to operate the devices safely is something Council would like to see considered particularly is user is visually or hearing impaired.

- **Alternative proposal**

12. We have outlined an option to not change vehicle definitions. This means we would make changes at a later date instead. Do you prefer this option to our proposal to change vehicle definitions now (see proposals 1A, 1B, 1C, 1D for more details)? Why/why not?

Council supports the change in vehicle definitions. Good safety benefits able to be made via these changes.

- **Proposal 2: Establish a national framework for the use of footpaths**

13. Our proposed changes will allow mobility devices, transport devices, and cycles on the footpath—provided users meet speed, width and behavioural requirements. How much do you agree or disagree with this proposal? *Agree*

What was the reason for your rating? Do you have any other comments?

Whilst Council agrees there is a concern that there will be an increase in the number of transport devices and cyclists on footpaths and that it will be impossible to enforce the proposed speed, width and behavioural requirements.

Footpaths are already busy places and the aim should be to provide alternate safe places for transport devices and cyclists.

While overseas indicates that there is not an expectation of a high number of cyclists 'moving to the footpath' it is hard to judge that on overseas experience only.

14. Do you think there should be any other requirements, in addition to speed, width and behaviour?

No - need to be realistic about what it is reasonable to expect Police to be able to enforce. Need to keep this clear and simple for everyone.

15. We have outlined two alternative options to address cycling on the footpath. These are:

- a) Allow cyclists up to 16 years of age to use the footpath
- b) Continue the status quo, where most cyclists are not allowed to use the footpath.
- c) Neither option.

What option do you prefer instead of allowing cyclists on the footpath? *C – Neither option*

16. Would you support an age limit for cycling on the footpath? What age would you prefer?

No, we would not support an age limit - too hard to enforce. The key issue is about behaviour – no matter what the age and an age limit doesn't cater for older less confident (returning) cyclists

If yes, what age would you prefer? *n/a*

17. We propose to allow road controlling authorities to restrict cycle or device use on certain footpaths or areas of footpaths to suit local communities and conditions.

How much do you agree or disagree with this proposal? *Strongly agree*

What was the reason for your rating? Do you have any other comments, including on the proposed process?

Council supports the proposal that it has the ability to restrict cycle and device use on footpaths in certain areas and feels this provision will alleviate some concerns about conflict on shared path if the

package progresses. We don't think that there would be a large number of these, but the ability to do so if necessary will be useful.

- 18. We envisage that local authorities will make decisions to regulate the use of paths by resolution, rather than by making a bylaw. Do you agree this be specified in the Land Transport Rule: Path and Road Margins 2020 to provide certainty? Yes**

What are the reasons for your answer? Do you have any other comments?

The bylaw process can be very time consuming when you have to go through all the various stages. Nelson City Council has schedules attached to its Parking and Vehicle Control Bylaw which enables these decisions to be made by resolution currently, but it would be good to have this clarified in the Rule as being the approved approach to enable consistency nationally.

Alternative proposal

- 19. We're proposing that road controlling authorities consider and follow certain criteria in addition to their usual resolution processes if they want to restrict devices from using the footpath. These criteria are:**

- consider relevant guidance developed by the Transport Agency
- consider any alternative routes or facilities that will no longer be available to the user due to a restriction
- consider any other matter relevant to public safety.

The road controlling authority will need to:

- consult with any party affected by the proposed restriction
- give those parties reasonable time to respond
- take their submissions into account

How much do you agree or disagree with this proposal? Disagree

What was the reason for your rating? Do you have any other comments about how will this affect you or whether you think the proposed changes are practical?

This is only proposing a minor tweak to the way things currently operate. Despite what is implied by this proposal, these are the standard types of steps that road controlling authorities undertake every day in their decision making. So, not real change.

- 20. We have also outlined an option to maintain current footpath rules. Would you prefer this option instead of the proposed framework with speed and width requirements? Why/why not?**

No we do not support the status quo - the current rules are not making sense with the increasing number of devices being used on the transport network and the lack of clarity/logic about where they should be operated. Council supports changes to the rules around footpath use but wishes to reserve the right to place speed limit and some restriction of some paths by resolution when the need arises.

- **Proposal 2A: Users on the footpath will operate vehicles in a courteous and considerate manner, travel in a way that isn't dangerous and give right of way to pedestrians**

21. We propose that pedestrians should always have right of way on the footpath.

How much do you agree or disagree with this proposal? *Agree*

What was the reason for your rating? Do you have any other comments?

We support a "pedestrian first" hierarchy of interests in principal. Visually and hearing impaired people are usually pedestrian.

22. This proposal will require footpath users to operate vehicles in a courteous and considerate manner; travel in a way that isn't dangerous; and give way to pedestrians.

How much do you agree or disagree with this proposal? *Strongly agree*

What was the reason for your rating? Are there any other requirements we should consider?

Agree that having a standard set of rules is desirable (if perhaps not highly enforceable) to ensure the safety of all users.

Additional requirements that could be considered:

- *Generally keep left when possible.*
- *Not exceed the speed limit that has been set on that path.*

- **Proposal 2B: Default 15km/h speed limit for vehicles using the footpath**

23. We are proposing to set a default speed limit of 15km/h for footpaths.

How much do you agree or disagree with this proposal? *Agree*

What is the reason for your rating? Do you think the proposed speed limit should be higher or lower?

Given that a lot of the footpath network is located hard up against or very close to the property boundary, this lower speed reduces the likelihood of serious injury to the user in case of a crash occurring with a vehicle pulling out of a driveway.

24. Under the proposed changes, road controlling authorities will be able to lower the default speed limit for a footpath or area of footpaths.

How much do you agree or disagree with this proposal? *Agree*

What is the reason for your rating? Do you have any other comments?

7

Council recognizes that the proposal allows some deviation from this default limit if as an RCA Council follows the process outlined to vary the speed limit. Council sees a need for this on some paths that are traditionally high volume passive recreational or walking corridors used by vulnerable pedestrians, however the speed limit is only one component of safe use of the footpath space. The speed limit is a maximum and in the circumstances that this is too high, the other requirements should be sufficient to ensure the safety of all users.

Having changing speed limits on and along different parts of the transport network does have potential to get very confusing, require a lot of signage and/or roadmarking expense and still really be impossible to enforce.

The best way to ensure compliance is to keep it simple!

25. Are there other ways that you can think of to improve footpath safety? Please explain.

Nationally standardized etiquette signage would assist, and a strong education campaign to raise the awareness of the risks for pedestrians if hit by other transport devices.

- **Proposal 2C: 750mm width restriction for vehicles that operate on the footpath**

26. We are proposing that the width of devices used on the footpath should not exceed 750mm (with the exception of wheelchairs). Do you think this is: *About right*

What is the reason for your rating? Do you have any other comments?

Council supports the arguments provided in the proposal that larger devices may damage infrastructure and impinge on comfort and safety of other footpath users. Council has concern that size of mobility devices are getting larger (almost as substitute to motor vehicle) and increasing size of some devices puts pressure and competing for space on the existing footpath network.

Risks of tipping over increase the narrower the device so they should not be required to be any narrower.

27. Do you use a mobility device? *No*

If yes, what is the width of your device? Would the proposed width restriction impact you? *n/a*

28. Should a maximum width limit apply to mobility devices? *Yes*

What is the reason for your response?

If these devices are allowed to get too big there will not be room for them to pass each other - or to pass pedestrians (and powered wheelchairs) who are also using the footpath. If using a cycle path or cycle lane, it is also possible that a wider device will make it unsafe to pass by other quicker moving users eg cyclists.

29. We propose that people who already own a device wider than 750mm could apply for an exemption. We're also considering three alternative approaches to mitigate the impact on existing device owners.

Which is your preferred option?

b. The Transport Agency could declare certain wider devices to be mobility devices under section 168A of the Land Transport Act and exclude them from width requirements.

- **Proposal 3: Establish a national framework for the use of shared paths and cycle paths**

30. We are proposing that a person using a shared path or cycle path must travel:

- a) in a careful and considerate manner
- b) at a speed that is not dangerous to other people on the path
- c) in a way that doesn't interfere with other people using the path.

How much do you agree or disagree with these proposed behavioural requirements? *Strongly agree*

What is the reason for your rating? Should there be other requirements or rules to use a shared path or cycle path?

Council supports the proposed behavioural requirements. Council strongly encourages MoT and NZTA to invest in a large and robust communication plan and education campaign to embed these behaviours in societal norms. Keeping left and adherence to speed limits should be added.

31. We propose that all users will need to give way to pedestrians when using a shared path.

How much do you agree or disagree with this proposal? *Agree*

What is the reason for your rating? Do you have any other comments?

This rule will provide clear advice which has "teeth" to an area that has previously been guidance only and left room for ambiguity. A strong education campaign is required to reinforce this messaging. However as mentioned earlier - some pedestrians are more physically able to give way to mobility scooter users - and some discretion may be needed in each case

32. We propose that, if a shared path or cycle path is adjacent to a roadway, the speed limit will be the same as the roadway – which is currently the case. If a shared path or cycle path is not located beside or adjacent to a roadway, then our proposed change clarifies that the path has a default speed limit of 50km/h.

How much do you agree or disagree with the proposed speed limits for shared paths and cycle paths? *Disagree*

What is the reason for your rating? Do you have any other comments, including on the proposal to allow road controlling authorities to change limits?

50kmph is too fast for use on shared pathways and sends the wrong message. Shared path use speed limits should be no more than 25kmph. Many shared paths are recreational corridors as well and mixed use exists including children, elderly and dogs. If adopted Council would use the mechanism available to reduce this default speed limit.

33. We are proposing that road controlling authorities should be able to declare a path a shared path or a cycle path by making a resolution.

How much do you agree or disagree with this proposal? *Agree*

What is the reason for your rating? What factors should be considered when road controlling authorities make this decision?

34. Do you think that the Transport Agency should be able to investigate and direct road controlling authorities to comply with the required criteria?

How much do you agree or disagree with this proposal? *Yes*

What is the reason for your response? Do you have any other comments?
Consistency of application of nationally developed criteria is important

- **Proposal 4: Enable transport devices to use cycle lanes and cycle paths**

35. We are proposing that devices other than cycles should be allowed to use cycle lanes and/or cycle paths?

How much do you agree or disagree with this proposal? *Strongly agree*

What is the reason for your rating? Should there be any other requirements?

Council agrees with the arguments put forward in the proposal. This will make footpaths safer by providing a safer alternative for transport device users who want to travel faster than 15kmph

36. We are proposing that road controlling authorities should be able to exclude transport devices from cycle lanes and/or cycle paths?

How much do you agree or disagree with this proposal? *Agree*

What is the reason for your rating? Should there be any other requirements?
We see no reason why transport devices would be excluded from cycle lanes or paths but allowing RCA's a mechanism to respond to issues that could arise is valued.

- **Proposal 5: Introduce lighting and reflector requirements for powered transport devices at night**

37. We are proposing that powered transport devices must be fitted with a headlamp, rear facing position light, and be fitted with a reflector (unless the user is wearing reflective material) if they are used at night.

How much do you agree or disagree with this proposal? *Strongly agree*

What was your reason for your rating? Do you have any other comments about the proposal?

Any initiative that supports safety is supported and Council asks if consideration was given to making warning devices compulsory on transport devices and bikes? Council often receive calls for making bells on bikes compulsory as they are in many other parts of the world which has assisted in a development of a expected behaviour norms of what to do when a warning device is used.

38. Do you think these requirements are practical? For example, if you own a powered transport device, will you be able to purchase and attach a reflector or lights to your device or yourself?

If required by law it is most likely that the industry/suppliers will respond. A lot of these types of resources are also made available free of charge via the Community Road Safety and Travel Demand Management fund managed by the Road Safety Coordinators and Sustainable Transport Coordinators employed by local authorities. eg vests and backpack covers

39. Do you think unpowered transport device users should be required to meet the same lighting and reflector requirements as powered transport device users at night time?

Yes – if at all possible, otherwise it is impossible for the motorist to be able to see them and therefore avoid hitting them.

Particularly important if they are going to be operating on the road and not in a separated facility. But, with the proposal 6C giving priority to users of this space over turning traffic, then there is a need to have the lighting and reflector requirements when moving on any part of the network.

Also needed for the safety of the other users within that space – even footpath.

- **Proposal 6: Remove barriers to walking, transport device use and cycling through rule changes**
- **Proposal 6A: Allow cycles and transport devices to travel straight ahead from a left turn lane**

40. We propose that cyclists and users of transport devices (like skateboards and scooters) should be able to ride straight ahead from a left turn lane at an intersection, when it is safe to do so.

How much do you agree or disagree with this proposal? *Agree*

What was your reason for your rating? Do you have any other comments about the proposal?

This change will enable RCA's to mark left hand turn lanes where they previously have not done so because it would have made existing cyclist movements illegal .

However we do have some concerns about truck visibility and blind spots. Phasing of lights could have considered to prevent left turn phase ahead of through traffic phase, but at other intersections it is hard to be confident that we can manage safety in these situations. Would prefer to have the intersection changed so cyclists are only dealing with one lane, or are able to use shared off-road path.

'When it is safe to do so' - is hard to enforce and is different in every users mind.

- **Proposal 6B: Allow cycles and transport devices to carefully pass slow-moving vehicles on the left, unless a motor vehicle is indicating a left turn**

- 41. We propose that cyclists and users of transport devices (like skateboards and escooters) should be allowed to 'undertake' slow-moving traffic.**

How much do you agree or disagree with this proposal? *Agree*

What was your reason for your rating? Do you have any other comments about the proposal?

*Council acknowledges that this legitimizes existing behaviour however we strongly encourage an education campaign to alert motorists to this change that will raise their awareness of the need to look to the left & behind them for cycles. Council also strongly advocates for an education campaign on the "Dutch reach" that protects cyclists from door opening onto them
Support the proposal for giving priority as this reflects a greater priority for users of 'alternative' modes and supports a greater use of these modes instead of using the car.*

Proposal 6C: Give cycles, transport devices and buses priority over turning traffic when they're travelling through an intersection in a separated lane

- 42. We propose that turning traffic should give way to buses, cyclists, and users of transport devices travelling straight through an intersection from a separated lane.**

How much do you agree or disagree with this proposal? *Strongly agree*

What was your reason for your rating? Do you have any other comments about the proposal?

Council acknowledges this will clarify existing situations where uncertainty exists. Council acknowledges that some parking may need to be removed from near side roads to ensure clear sight lines. Council asks if legal minimum distance from corners for parking has been considered as part of this package and requests that it is looked at A STRONG educational package is required - if people get this wrong injury will occur.

- 43. Our proposed change will introduce a list of traffic control devices used to separate lanes from the roadway to help you understand what a separated lane is and if the user has right of way at an intersection. Is such a list necessary?** *No*

What was your reason for your response? Do you have any other comments about the proposal?

*Suggest that this rule be amended to have turning vehicles give way to **all other users** – including people on bikes in cycle lanes (Not included in the proposal currently) and not dependent on separation or installation of 'necessary traffic control devices'.*

- 44. Should the definition of a separated lane include the distance between the lane and the road?** *Yes*

What was your reason for your response? Do you have any other comments about the proposal?

*Yes - as well as other factors such as marker posts/ gardens / drainage channels etc.
Definition should take into account attributes of a lane – eg users of the path are easily visible by approaching motorists wanting to turn into the side road.*

12

- **Proposal 6D: Give priority to footpath, shared path and cycle path users over turning traffic where the necessary traffic control devices are installed**

45. We propose that turning traffic should give way to path users crossing a side road with the proposed minimum markings of two parallel white lines.

How much do you agree or disagree with this proposal? *Agree*

What was your reason for your rating? Do you have any other comments about the proposal?

Council supports this proposal but calls for a large and strong education package to support its introduction. This proposal reflects a greater priority for users of 'alternative' modes and supports a greater use of these modes instead of using the car.

Additional questions for road controlling authorities

46. Do you think that the proposed minimum markings of two parallel white lines are appropriate? Please explain.

On quiet streets the paint markings could be considered appropriate. Road Maintenance budgets will need to reflect the increased costs in marking and re-marking these regularly. Parking distances from corners will need consideration to ensure crossing users are clearly visible to turning traffic. However these markings may be too subtle, and are just something else for a driver to try and find in a situation where the workload is already high, something else to maintain. Puts the onus on the vehicle driver to see and stop in time - if they get it wrong, they will not be the one with the physical injuries - it will be the other users.

Suggest that this rule be amended to have turning vehicles give way to all other users - including people on bikes in cycle lanes (Not included in the proposal currently) and not dependent on 'necessary traffic control devices'.

47. We are proposing future guidance for additional treatments. Is there any guidance that you would like to see or recommend? Please explain.

Council is particularly interested in guidance for treatments at busy roads. In particular how lengthy queuing and associated safety risks on busy roads will be mitigated when crossing users have priority over turning traffic.

- **Proposal 7: Mandate a minimum overtaking gap for motor vehicles passing cycles, transport devices, horses, pedestrians and people using mobility devices on the road**

48. We are proposing a mandatory minimum overtaking gap for motor vehicles of 1 metre (when the speed limit is 60km/h or less), and 1.5 metres (when the speed limit is over 60km/h) when passing pedestrians, cyclists, horse riders, and users of other devices.

How much do you agree or disagree with this proposal? *Agree*

What was your reason for your rating? Do you have any other comments about the proposal?

Council questions why 1.5 meters is not mandated on any road above 50kmph as opposed to 60kmph? A consistent approach to minimum overtaking gap was the preferred option of Council and 1 metre is considered too close on narrow for open roads. There is strong appetite for a minimum of 1.5m regardless of speed.

- **Proposal 8: Clarify how road controlling authorities can restrict parking on berms**

49. We are proposing that road controlling authorities should be able to restrict berm parking without the use of signs and instead rely on an online register.

How much do you agree or disagree with this proposal? *Agree*

What was your reason for your rating? Do you have any other comments about the proposal?

Council supports restricting parking on berms but would prefer a universal urban ban and that the register directs people to where is IS ALLOWED rather than vice versa.

The key reasons for this are protection of underground services and ensuring that footpaths remain clear. With increasing use of footpaths by a wider variety of devices, there is the need to also utilise the berm for 'giving way'.

Vehicles parked on berms can also create visibility issues for those exiting driveways or side roads, and obscure approaching traffic (on footpaths, shared paths, cycle paths, cycle lanes and the road).

50. Would it be helpful if information on berm parking restrictions was available in other places, like at a local library, i-SITE, or a local council?

Yes - but as above that the urban ban is in place universally with exceptions being noted in the register.

- **Proposal 9: Give buses priority when exiting bus stops**

51. We propose that road users should give way to indicating buses leaving a signed bus stop on a road with a speed limit of 60km/h or less.

How much do you agree or disagree with this proposal? *Strongly agree*

What was your reason for your rating? Do you have any other comments about the proposal?

This rule is a very simple way of improving efficiency for the bus operations and is a good way to promote buses as a more sustainable mode of transport.

Councillors felt that sometimes it is small things that can have a biggest impact on public transport.

If we start with the premise that a bus with 20, 30, or 50 passengers has a right to 20, 30 or 50 times more road space than a car and maybe that needs to be reflected in a simple road rule.

Every state in Australia has a road rule requiring drivers in a built up area must give way to a bus that displays a sign stating "Give Way to Buses" or something similar when the bus is entering traffic from the left side of the road with an indicator on. Drivers that fail to give way to buses trying to can be fined and get some demerit points.

Quicker buses mean they're cheaper to run and can to keep to schedules. That is likely to attract more passengers leading to less cars on the road, especially peak times causing congestion.

A common example is a bus full of people, stuck at the bus stop because cars often with a single occupant not letting the bus get out is one. It is frustrating for drivers and bus passengers as well as wasting both time and money.

For passengers it makes buses slower, less competitive when compared to driving a car, making public transport less convenient or attractive to use.

For bus operators like Nelsons local service the NBus slower buses cost more to run because the additional running time and there is consequential reduction in the level of service.

For private vehicle drivers, others pushing past buses can slow the entire road down and increases the risk of crashes causing even further delays.

A single bus with around 30 people on it delayed by just five minutes per trip equates to around 150 minutes or 2 ½ hours, and that's just for one bus on one trip. Multiply the delays across all buses across an entire year and the amount of lost time would be massive.

The bonus is happier bus passengers and less frustrated drivers

52. Should traffic give way to buses in other situations? For example, when a bus is exiting a bus lane and merging back into traffic lanes? Yes

In what situations should traffic give way to buses? What was your reason for your response? Do you have any other comments?

Council operates some "hail and ride" services on local streets where formal bus stops do not exist. Council would like consideration given to priority being given to these buses to re-enter the traffic stream from the side of the road.

Infrastructure Fees and Charges 2020-2021

1. Purpose of Report

- 1.1 To approve fees and charges for Infrastructure services for the 2020/2021 financial year.

2. Recommendation

That the Infrastructure Committee

- 1. Receives the report Infrastructure Fees and Charges 2020-2021 (R13674) and its attachment (A2325209); and***
- 2. Notes that the Consumer Price Index will be applied to all Utilities and Roothing charges effective 1 July 2020; and***
- 3. Approves an 8% increase to Solid Waste charges at the Pascoe Street transfer station as reflected in Attachment A2325209 of Report R13674, effective 1 July 2020.***

3. Background

- 3.1 Fees and Charges are reviewed annually and either adjusted in line with the Consumer Price Index (CPI) or amended to reflect any changes in process and/or costs incurred by Council. This report addresses Infrastructure fees and charges.
- 3.2 Officers currently have delegations to set fees and charges. For increases over CPI officers are of the view that approval of this committee is appropriate.
- 3.3 Subject to the committees approval, all users will be given a minimum 30 days' notice of the proposed changes prior to implementation

4. Discussion

Utilities

- 4.1 Fees and charges for Utilities (water) include fees for special water readings, installation of a restrictor, connection and disconnection fees, hydrant supply and bulk filling registration.
- 4.2 A CPI adjustment of 2% across the board will be made to these and no other changes are proposed. Based on past requests for Utilities services this will result in an additional \$800 income per year.

Solid Waste

- 4.3 A new category and charge of \$170/m³ for shredded tyre waste is proposed. Currently it is considerably less expensive for commercial operators to take shredded tyres to the transfer station and dump as general refuse than to pay for disposal of intact tyres at the York Valley landfill (\$163/tonne). This deprives Council of approximately \$15,000 income per year. Council still incurs cartage costs from Pascoe Street to York Valley landfill and the increased fee has been calculated to incentivise commercial operators to take large quantities of used tyres directly to the regional landfill at York Valley.
- 4.4 In addition and in response to public requests, a new category with an associated fee has been introduced for small amounts of waste delivered to the transfer station (including greenwaste). The new category and charge is for a volume that is equivalent to a normal 65L rubbish bag or less with a charge of \$4 per 65L bag. A maximum of 3 bags per transaction would be allowed.
- 4.5 Council in December 2019 approved the Nelson Tasman Regional Landfill Business Unit (NTRLBU) 2021/22 Business plan. That Business Plan had York Valley Landfill fees and charges increasing by 5%. The transfer station charge for waste would, as a minimum, need to increase accordingly by 5%.
- 4.6 In addition to this, officers are planning to re-tender the Pascoe Street transfer station contract this financial year and this will likely result in increased haulage costs of general waste to York Valley and greenwaste to Richmond as well as overall transfer station management costs. Based on the current commercial environment an increase of \$1.75/m³ or 3%/m³ is anticipated.
- 4.7 In summary, for Solid Waste at the transfer station, an increase of 8% is recommended as shown in Table 1 of Attachment 1. Rounding for ease of cash transactions has been applied.

Roading

- 4.8 Fees and charges for Roothing include road closures, vehicle crossing applications, corridor access requests and resident car parking permits. CPI will be applied across the board. CPI increases to normal fees will

Item 9: Infrastructure Fees and Charges 2020-2021

result in around \$2,200 additional income based on past averages on requests for services.

5. Options

- 5.1 There are two options to consider for the increase in Solid Waste fees and charges. Officers recommend Option 1.

Option 1: Approve the proposed increases to Solid Waste fees at the Pascoe street transfer station effective 1 July 2020.	
Advantages	<ul style="list-style-type: none">Increased costs of waste disposal may encourage people to think about and adopt waste minimisationAvoids further demands on ratesProvides consistency with the fees and charges of the Regional Landfill Business Unit.
Risks and Disadvantages	<ul style="list-style-type: none">Increased risk of irresponsible dumping or “fly tipping”
Option 2: Do Not Approve the proposed increases to Solid Waste fees at the Pascoe street transfer station	
Advantages	<ul style="list-style-type: none">None
Risks and Disadvantages	<ul style="list-style-type: none">If the proposed changes are not approved the fees and charges at the transfer station will be out of step with the York Valley Regional Landfill, and the cost of transfer station management and income generated will not cover actual costs incurred and will result in a financial shortfall and an additional call on rates funding

6. Conclusion

- 6.1 Officers recommend that the fees and charges as set out in Attachment 1 of this report be approved.
- 6.2 If approved a communications plan will be developed to inform users of all changes that will take effect on 1 July 2020.

Author: Margaret Parfitt, Manager - Transport and Solid Waste

Attachments

Attachment 1: A2325209 Proposed changes to Fees and Charges Infrastructure 2020-21 [↓](#)

Important considerations for decision making	
1. Fit with Purpose of Local Government	Annual review of fees and charges enables Council to meet the current and future needs of communities for good-quality local infrastructure, local public services, in a way that is most cost-effective for households and businesses.
2. Consistency with Community Outcomes and Council Policy	Approving amended fees and charges enables Council to carry out activity that is aligned with the community outcome "our infrastructure is efficient, cost effective and meets current and future needs".
3. Risk	Fees and Charges are reviewed annually and either adjusted in line with the Consumer Price Index or changed to reflect any changes in process and/or costs incurred to Council. If proposed changes are not approved the income generated from fees and charges may not cover actual costs incurred and result in a financial shortfall.
4. Financial impact	The fees and charges income is included in Council's Long Term Plan.
5. Degree of significance and level of engagement	The recommendations outlined in the report are not considered significant in terms of Council's Significance Policy. Other than consultation on the annual plan relating to increases in the Regional Landfill charges no formal consultation has occurred with regards to the fee increases in this report.
6. Climate Impact	Increasing cost for waste disposal can influence waste minimisation and behaviours that could have a positive impact on climate change.
7. Inclusion of Māori in the decision making process	No engagement with Māori has been undertaken in preparing this report.
8. Delegations	<p>Areas of Responsibility:</p> <ul style="list-style-type: none"> • Bylaws, within the areas of responsibility

Item 9: Infrastructure Fees and Charges 2020-2021

- Transport network, including, roading network and associated structures, walkways, cycleways and shared pathways, footpaths and road reserve, street lighting, traffic management control and parking.
- Water
- Wastewater, including Bell Island Wastewater Treatment Plant
- Stormwater and Flood Protection
- Solid Waste management, including transfer stations and waste minimisation
- Regional Landfill
- Recycling

Officers currently have delegations to set fees and charges. For increases over CPI officers are of the view that approval of this committee is appropriate

ATTACHMENT 1**Table 1 Transfer Station fees changes**

Description	2019-20 price (incl GST)	2020-21 price (Incl GST)	2020/21 price allowing for rounding	Comment
General refuse Bag (up to 65L) – maximum of 3	N/A	\$4.00	\$4.00	Charges increased to recover, Regional Landfill charges (which include CPI), increased haulage and transfer station management. Rounding applied.
0.0 – 0.5 m ³ (car boot) Minimum charge 0.5m ³	\$27	\$28.95	\$29.00	
0.5 – 1.0 m ³	\$53	\$56.87	\$57.00	
1.0 – 1.5 m ³	\$80	\$85.82	\$86.00	
1.5 – 2.0 m ³	\$106	\$113.74	\$114.00	
Thereafter Per M3	\$53	\$56.87	\$57.00	
	\$8			
Tyres – Car per tyre		\$8.40	\$8.00	
Tyres – Truck per tyre	\$23	\$24.15	\$24.00	
Tyres – On rim	\$17	\$17.85	\$18.00	
Tyres – Tractor or similar, off rim	\$81	\$85.05	\$85.00	
Tyres – shredded per m3	N/A	\$170	\$170	
Commercial Operators dumping hardfill and demolition	\$238	\$249.90	\$250.00	
Greenwaste bag (up to 65L)	N/A	\$4.00	\$4.00	
Green waste 0.0 – 0.5 m3 (car boot) Minimum charge 0.5m3	\$16	\$17.51	\$17	
Green waste 0.5 – 1.0 m3	\$35	\$38.15	\$38	
Green waste 1.0 – 1.5 m3	\$48	\$52.54	\$52	
Green waste 1.5 – 2.0 m3	\$70	\$76.30	\$76	
Green waste Thereafter Per M3	\$35	\$38.15	\$38	