

# Notice of the ordinary meeting of the Hearings Panel - Other

# 

Date:	Wednesday 09 June 2021				
Time:	9.00 a.m.				
Location:	Council Chamber, Civic House				
	110 Trafalgar Street				
	Nelson				

# Agenda

# Rārangi take

Chair Members Cr Kate Fulton Cr Yvonne Bowater Cr Pete Rainey

> Pat Dougherty Chief Executive

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 <u>formal</u> <u>Council decision</u>.

### Hearings Panel – Other

#### **Functions:**

To conduct hearings and/or determine under delegated authority applications relating to the Dog Control Act 1996, all matters relating to Temporary Road Closures pursuant to Schedule 10 Clause 11(e) of the Local Government Act 1974, matters relating to naming features within the city, and any other matters required for determination by Council under legislation as determined by Council.

#### Membership:

All elected members aside from the Mayor, in rotation. Each Hearings Panel-Other will be made up of three members.

The Group Manager Environmental Management may appoint one or more Independent Commissioners to either assist the Hearings Panel - Other or to hear and determine any particular application, such as when Council or a Council-Controlled Organisation or Council-Controlled Trading Organisation is (or could be perceived to be) an interested party, other than applications made for temporary road closure under Schedule 10 Clause 11(e) of the Local Government Act 1974.

#### Powers to Decide:

The power to appoint a panel to hear and determine with any other consent authority any application requiring a joint hearing

The power to hear and recommend appropriate actions from hearings of designations and heritage orders

The power to hear, consider and attempt to resolve contested road stopping procedures

The power to consider and determine applications for temporary road closures made under Schedule 10 Clause 11(e) of the Local Government Act 1974

The power to hear and determine all matters arising from the administration of the Building Act 1991, and the Building Act 2004

The power to hear and determine objections to the classification of dogs, and all other procedural matters for which a right of objection and hearing is provided for under the Dog Control Act, 1996

The power to name all features within the city requiring naming including roads, streets, service lanes, plazas, parking areas, parks, reserves, gardens and all public facilities or infrastructure, aside from those impacted by the Naming Rights and Sponsorship Policy for Community Services Facilities

The power to provide advice to applicants on appropriate names for private roads, rights of way or other legal forms of private access to property

The power to make changes to the schedules to the Parking and Vehicle Control Bylaw that do not require public consultation

The power to hear submissions and recommendations on proposed changes to the schedules to the Parking and Vehicle Control Bylaw requiring public consultation

The power to administer the administering body functions under section 48 of the Reserves Act 1977 on proposed rights of way and other easements on reserves vested in Council

Nelson City Council Te Kaunihera o Whakatū **Hearings Panel – Other** 

9 June 2021

Page No.

### 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. Temporary Road Closures - Te Ramaroa (Light Nelson) Festival

5 - 12

Document number R23737

Recommendation

### That the Hearings Panel - Other

- 1. <u>Receives</u> the report Temporary Road Closures - Te Ramaroa (Light Nelson) Festival (R23737) and its attachments A2589158 and A2589074; and
- 2. <u>Approves</u> the temporary road closure referred to in report for Te Ramaroa (Light Nelson) Festival from 9 July 2021 to 13 July 2021 between 5pm and 10pm daily.

### 6. Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules

13 - 29

Document number R22707

Recommendation

### That the Hearings Panel - Other

- 1. <u>Receives</u> the report Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R22707) and its attachments (A2666872 and A2662954); and
- 2. <u>Approves</u> amendments detailed in report R22707 to the following Schedules of the Bylaw, Parking and Vehicle Control (2011), No 207 (A2662954):
  - Schedule 4
  - Schedule 8
  - Schedule 9
  - Schedule 13.



Hearings Panel - Other

9 June 2021

**REPORT R23737** 

## Temporary Road Closures - Te Ramaroa (Light Nelson) Festival

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

1.1 To approve the temporary road closure application for Te Ramaroa (Light Nelson) Festival from 9 July 2021 to 13 July 2021.

### 2. Recommendation

### That the Hearings Panel - Other

- 1. <u>Receives</u> the report Temporary Road Closures - Te Ramaroa (Light Nelson) Festival (R23737) and its attachments A2589158 and A2589074; and
- 2. <u>Approves</u> the temporary road closure referred to in report for Te Ramaroa (Light Nelson) Festival from 9 July 2021 to 13 July 2021 between 5pm and 10pm daily.

### 3. Background

- 3.1 It is a requirement that temporary road closures made under Schedule 10 Clause 11(e) of the Local Government Act 1974 come to the Hearings Panel - Other for approval.
- 3.2 It is a requirement that consultation with Waka Kotahi New Zealand Transport Agency (Waka Kotahi) is undertaken to temporarily close any road under Schedule 10 Clause 11 of the Local Government Act 1974. Nelson City Council (NCC) and Waka Kotahi have an agreement whereby specific consultation is only required if the closure affects state highway or their assigned detour routes.

### 4. Te Ramaroa (Light Nelson) Festival

4.1 Council officers received an application on 2 March 2021 from Light Nelson Trust to close Trafalgar Square (Selwyn Place) – between Church Street and Trafalgar Square East, including the Church Steps on 9 July Item 5: Temporary Road Closures - Te Ramaroa (Light Nelson) Festival

2021 to 13 July 2021 from 5pm to 10pm daily as shown in Attachment 1. Te Ramaroa (Light Nelson) Festival is a biennial event for the local community to enjoy a night light show with performance and music.

- 4.2 As per clause 11(e) of schedule 10 of the Local Government Act 1974, this proposed road closure will not exceed the aggregate of 31 days for any year.
- 4.3 Consultation with Waka Kotahi has not been undertaken due to this event not having any impact on the State Highway or its detour routes.
- 4.4 Consultation with Police has been undertaken and they have given their approval for this event.
- 4.5 As per clause 11A of schedule 10 of the Local Government Act 1974, Council placed a notification in Our Nelson on 24 March 2021 to notify of the applicant's intention to close this road and inviting feedback by 7 April 2021. The advertisement was also placed on the Council website, with an email notification and a hand delivered letter drop by the applicant to directly affected businesses/residents (Attachment 2).
- 4.6 Public feedback has been received for this event. There was a request for the road closure to be changed to 5.15pm from Harcourts Nelson. This feedback was passed on to the organisers of Te Ramaroa for consideration. They have requested that 5pm stand noting alternative routes are available that are simple and quick to use. They also note that Hardy Street will remain open as a second alternative route and given the history of the numbers attending this event that this is the safest time to close the road to allow for crowd build up.
- 4.7 There was positive feedback from a local resident saying that "Light Nelson is such a great initiative and any inconvenience is likely to be minor and short lived".
- 4.8 No noise resource consent is required for this event and evidence of public liability insurance has been provided.
- 4.9 Council officers are satisfied that the road closure will not unreasonably impede traffic because alternative routes are available, and the extent and duration is limited. Council officers recommend that this application be approved with a 5pm start.
- 4.10 If approved, a minimum of 24 hours' notice will be provided to affected businesses and residences under this process, but more if time allows.
- 4.11 In the event that the event gets cancelled due to, for example COVID-19 restrictions, the closures will not proceed, and this will be publicly notified.

Item 5: Temporary Road Closures - Te Ramaroa (Light Nelson) Festival

### 5. Options

5.1 The Hearings Panel - Other has two options, either to approve or decline the temporary road closure applications. Officers recommend approving the temporary road closure for this event.

### Author: Gillian Dancey, Contracts Supervisor - Roading

### Attachments

Attachment 1: A2589158 - MAP - Te Ramaroa (Light Nelson) Festival 2021 J

Attachment 2: A2589074 - Road Closure Letter - Te Ramaroa (Light Nelson) Festival 2021 J

# Important considerations for decision making

### 1. Fit with Purpose of Local Government

The following are applicable:

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

The temporary road closures fit with the purpose of local government.

## 2. Consistency with Community Outcomes and Council Policy

These events contribute to our community outcomes by assisting our community to celebrate their identity and community.

### 3. Risk

If the temporary road closures are not approved, these community events are at risk of not going ahead.

### 4. Financial impact

There is no financial impact for Council for these road closures.

### 5. Degree of significance and level of engagement

This matter is of medium significance because of the number of people affected and the short duration of the events. A request for feedback was advertised in Our Nelson and on the Council's website.

### 6. Climate Impact

This decision will have no impact on the ability of the Council or District to proactively respond to the impacts of climate change now or in the future.

## 7. Inclusion of Māori in the decision-making process

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

## 8. Delegations

The Hearings Panel - Other has the following delegations to consider temporary road closures:

Functions:

• To conduct hearings and/or determine under delegated authority applications relating to the Dog Control Act 1996, all matters relating to Temporary Road Closures pursuant to Schedule 10

Item 5: Temporary Road Closures - Te Ramaroa (Light Nelson) Festival

clause 11(e) of the Local Government Act 1974, matters relating to naming features within the city, and any other matters required for determination by Council under legislation as determined by Council.



### Item 5: Temporary Road Closures - Te Ramaroa (Light Nelson) Festival: Attachment 2



Civic House, 110 Trafalgar Street PO Box 645, Nelson 7040, New Zealand

> P 03 546 0200 E gillian.dancey@ncc.govt.nz nelson.govt.nz

9 March 2021

#### TEMPORARY ROAD CLOSURE PROPOSAL – TE RAMAROA (LIGHT NELSON) FESTIVAL

Nelson City Council has received a proposal from the Light Nelson Trust to temporarily close the following road to ordinary traffic for Te Ramaroa (Light Nelson) event:

# Trafalgar Square – between Church Street and Trafalgar Square East, including the Church Steps

Date and time: Friday 9 July 2021 - Tuesday 13 July 2021, 5pm - 10pm daily

Access for pedestrians will be available. Please refer to the plan overleaf for the extent of this proposed closure.

To understand how this closure could impact residents, we would welcome feedback on this proposal by Wednesday 7 April 2021.

 Feedback can be sent:

 In writing 

 By email 

 Attention Gillian Dancey, Nelson City Council, PO Box 645, Nelson

 enquiry@ncc.govt.nz

The decision on whether the road will be closed will be advertised on the Council's website, www.nelson.govt.nz. Residents will also be informed via a letterbox drop.

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

This proposal is made in accordance with the Local Government Act 1974. Unauthorised use of vehicles on the road during the closure period is not permitted and may constitute an offence.

Internal Document ID: A2589074

Nelson The Smart Little City He tãone tôrire a Whakatū





PO Box 645 Nelson 7040 New Zealand PH 03 5460200 nelson.govt.nz



**Hearings Panel - Other** 

9 June 2021

**REPORT R22707** 

## Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules

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

1.1 To approve proposed alterations to Schedules of the Parking and Vehicle Control Bylaw (2011), No 207, to give effect to minor safety and parking improvements, roading improvements carried out as part of the capital works programme and changes from new subdivisions.

### 2. Recommendation

### That the Hearings Panel - Other

- 1. <u>Receives</u> the report Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R22707) and its attachments (A2666872 and A2662954); and
- 2. <u>Approves</u> amendments detailed in report R22707 to the following Schedules of the Bylaw, Parking and Vehicle Control (2011), No 207 (A2662954):
  - Schedule 4
  - Schedule 8
  - Schedule 9
  - Schedule 13.

### 3. Background

3.1 The Parking and Vehicle Control Bylaw 2011 allows for the Council by resolution, to add, amend or delete specifications contained within the Schedules. The Council has delegated this power to the Hearings Panel - Other. To ensure that the Bylaw is enforceable it is important to ensure that the Schedules are updated on a regular basis. The Bylaw Schedules were last updated in March 2021.

- 3.2 Minor alterations and additions are proposed to Schedules 4, 8, 9 and 13 of the Bylaw as detailed in section 4.
- 3.3 The proposed alterations and additions are shown for indicative purposes only by plans attached to this report. The purpose of these plans is to assist the Panel to easily and quickly understand the nature of the changes proposed. These plans will not form part of the final bylaw. The actual changes as they will be incorporated into the final schedules of the Bylaw, and with the level of detail required for enforcement purposes, are set out in the schedule of changes appended as Attachment 2.

### 4. Discussion

### Schedule 4 – Special Parking Areas

Muritai Street – Bus Stop Extension

4.1 Following assessment of the bus stop at the Muritai/Tahunanui intersection, officers propose to extend the bus stop south by 1m towards the Mobil fuel station vehicle entrance (as well as installing No Stopping - refer 4.3 below). This will ensure that vehicles do not park in a manner that will impede access for the bus and will allow the bus to enter and exit the bus stop more efficiently and safely. SBL have provided their support for these changes and feedback from Mobil is currently underway (at the time of writing this report) and will be presented to the meeting. No additional feedback was sought as the proposed extension and no stopping enforces the requirement not to park within 6m of a bus stop. The proposed bus stop extension is shown in attachment 1, titled 4.1.

## Schedule 8 – Time Limited Parking Areas

Tukuka Street P15 Time Limited Parking

4.2 Officers have received two requests from the Waimea Road/Tukuka Street Dairy and Tailored Alterations (46 Tukuka Street) to install time limited parking near their premises. Officers have reviewed the current layout and need for time limited parking and propose a joint P15 parking area as shown in attachment 1, titled 4.2. The affected parties (the Dairy and Tailored Alterations) support the proposed P15 location.

## Schedule 9 – No Stopping and No Parking Areas

Muritai Street Bus Stop – No Stopping

4.3 Refer to item 4.1. Officers propose that 15m of No Stopping be installed to complement the extension of the bus stop that will facilitate the legal requirement of no stopping within 6m of the bus stop on Muritai Street. The proposed no stopping is shown in attachment 1, titled 4.1)

Princes Drive / Istana Place - No Stopping

4.4 Following feedback regarding visibility at the Princes Drive / Istana Place intersection, officers have reviewed the sightlines and support installing 7m of no stopping at the northern corner of this intersection. This no stopping will enable vehicles turning out of Istana Place to see further along Princes Drive, particularly where the road geometry returns on itself, making it difficult to see vehicles approaching from the north. It is currently illegal to park within 6m of an intersection. The proposed no stopping is shown in attachment 1, titled 4.4. Feedback was sought from 351 Princes Drive who supported this installation.

Tasman Street / Domett Street - No Stopping

4.5 Officers have been made aware that vehicles are parking across the footpath that leads down to the Maitai walkway near the Tasman Street/Domett Street intersection. The footpath is somewhat inconspicuous, which leads to vehicles parking across this kerb dropdown blocking pedestrian access. To resolve this issue, officers propose no stopping as shown in attachment 1, titled 4.6. No feedback was sought given parking in this location would already be considered inconsiderate parking.

Isel Place / The Ridgeway - No Stopping

- 4.6 To improve safety at a known pedestrian crossing desire line, a pedestrian refuge is proposed on The Ridgeway near Isel Place. Preconstruction safety audits have shown that No Stopping is required adjacent to and on the approaches to the refuge to ensure pedestrians have adequate visibility of oncoming vehicles and the traffic lane widths are not restricted by the presence of parked vehicles.
  - 4.6.1 Portions of no stopping currently exist (approved previously by the Hearings Panel Other on 17 March 2021). These no stopping restrictions (adjacent to the pedestrian refuge) have been marked and have been monitored by officers. Due to vehicles crossing the centreline when passing parked vehicles, officers propose extending the no stopping for approximately 30m on the western side of The Ridgeway, and for approximately 130m on the Eastern side of the Ridgeway from Isel Place to Songer Street as shown in Attachment 1, titled 4.6. Officers note that vehicles very rarely park along this stretch (on the Eastern side of The Ridgeway). There is also no stopping on the uphill sections of The Ridgeway that provides a safe path for cyclists.
  - 4.6.2 Feedback on this proposal show that four respondents supported this proposal, with one not in support. That objection raised concern that speeds may increase, thus making it difficult to exit Isel Place, and did not support the loss of parking. Officers note these concerns, however, support the increased visibility, accompanied with the proposed STOP sign (refer 4.11) to make this a safer crossing point for pedestrians. Police have provided their support for these intersection changes.

Washington Valley - No Stopping

4.7 Feedback from Councils parking enforcement team has identified an ongoing issue whereby vehicles are parking on Washington Road within the eastbound cycle lane. To address this safety issue and to deter parking and change behaviour, officers recommend installing no stopping as shown in attachment 1, titled 4.7. No feedback was sought as the current parking is considered illegal under NZ road rules.

Ashdonleigh Grove - No Stopping

4.8 Officers have been approached by the resident at 14 Ashdonleigh Grove to have no stopping installed opposite their driveway. This request comes as a mechanism to facilitate easier access for the resident's caravan. Officers have met with the resident and reviewed alternative options that do not remove on-street parking. Officers do not support the installation of no stopping opposite 14 Ashdonleigh Grove, however based on staff observations and discussions, installing no stopping around the cul-de-sac of Ashdonleigh Grove would help ensure vehicles and trailers can turn around, thus allowing the resident to access their driveway from the other direction. The proposed no stopping is shown in attachment 1, titled 4.8. Feedback from residents is currently underway (at the time of writing this report) and will be presented to the meeting.

Dodson Valley Road - No Stopping

4.9 No Stopping is proposed for a narrow section of Dodson Valley Road as shown in Attachment 1, titled 4.9. Drainage and footpath renewal is currently underway, with kerb works and line marking to be complete by end of June 2021. Consultation was carried out with residents in the area and no objections were received. It is noted that due to the narrowness of the road along this section that parking here seldom occurs, but the work provides an opportunity to formalise safety issues.

Boundary Road – No Stopping

4.10 In conjunction with the Innovative Streets project trial, some work has been undertaken to improve safety for pedestrians and cyclists travelling from Boundary Road, over Waimea Road towards Bishopdale. This work has included improving footpath surfaces, installing kerb crossings for cyclists and mobility scooters, trimming of vegetation for improved visibility, installation of wayfinding signage and installation of a crossing platform on Boundary Road. To ensure adequate visibility at the crossing platform, no stopping either side of the table is required. The extent of no stopping is shown in attachment 1, titled 4.10. The Nelson Innovative Streets project trial is an initiative that officers are collaborating on with Waka Kotahi (NZTA) and this is supported by both Council and the community. Community engagement held has supported speed tables and crossing points in the area.

### Schedule 13 - Stop Signs

Isel Place / The Ridgeway

4.11 As a result of the Isel Park Connection project, and a review of the Isel Place/The Ridgeway intersection, it has been identified that sight lines at the currently uncontrolled intersection are poor. It is recommended that a control be installed in the form of a STOP. Officers note the intersection largely operates as a STOP currently (particularly for right turning traffic). The proposed STOP sign is shown in Attachment 1, titled 4.6. Feedback regarding this proposal received six responses, four in support, two opposing. The two responses opposing noted that approach speeds (along the Ridgeway) were high, therefore being able to roll-through the intersection makes turning onto The Ridgeway easier. Officers note these concerns, however support installing a STOP sign given visibility is restricted at this intersection. Police have provided their support for this proposal.

### 5. Options

5.1 There are limited options for the items presented in this report as the majority in schedules 4, 8, 9 and 13 are proposed changes to improve safe and efficient traffic movement. Option 1 is the preferred option.

Option 1: Adopt changes as attached for Schedules 4, 8, 9 and 13 without changes								
Advantages	<ul> <li>Changes to Schedules are designed to improve safety and efficiency</li> </ul>							
Risks and Disadvantages	<ul> <li>Minor loss of parking in some places</li> </ul>							
Option 2: Do not adopt changes as attached for schedules 4, 8, 9 and 13.								
Advantages	There are no identified advantages							
Risks and Disadvantages	<ul> <li>Failure to approve changes could result in unsafe and inefficient use of the roading network.</li> </ul>							
	<ul> <li>Failure to update Schedules will open enforcement to challenge.</li> </ul>							
	<ul> <li>Failure to approve changes will delay or prevent development under the Resource Management Act (RMA).</li> </ul>							

### Author: Matt Bruce, Team Leader Transport and Solid Waste

### Attachments

- Attachment 1: A2666872 Attachment 1 Proposed Changes Shown Indicatively on Aerials <u>1</u>
- Attachment 2: A2662954 Attachment 2 Schedule of changes to the Parking and Vehicle Control Bylaw <u>J</u>

# Important considerations for decision making

### **1.** Fit with Purpose of Local Government

The report recommendation meets current and future needs of communities in contributing to the safe use of the roading and parking network in the City.

## 2. Consistency with Community Outcomes and Council Policy

The content and recommendations of this report are consistent with Councils Community Outcomes – "Our Infrastructure is efficient, cost effective and meets current and future needs". In particular that we have good quality, affordable and effective infrastructure, and transport networks. This report is directly aligned to the requirements of the Parking Policy, the Parking and Vehicle Control Bylaw and with Council's strategic direction through the Regional Land Transport Strategy.

### 3. Risk

To ensure that the Bylaw is enforceable, it is important to ensure that the Schedules are updated on a regular basis. Failure to update Schedules will open enforcement up to challenge.

### 4. Financial impact

Costs are within allocated annual budgets for road maintenance or capital projects.

### 5. Degree of significance and level of engagement

This matter is of low significance. Nearby businesses and residents that could be affected, have been consulted.

### 6. Inclusion of Māori in the decision-making process

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

### 7. Delegations

The Hearings Panel - Other has the following delegations to consider changes to the Parking and vehicle Control Bylaw.

Powers to Decide:

• The power to make changes to the schedules to the Parking and Vehicle Control Bylaw





PO Box 645 Nelson 7040 New Zealand PH 03 5460200 nelson.govt.nz

Te Kaunihera o Whakatū

May 2021



Attachment 1

Item 6: Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules:



PO Box 645 Nelson 7040 New Zealand PH 03 5460200 nelson.govt.nz









PO Box 645 Nelson 7040 New Zealand PH 03 5460200 nelson.govt.nz



PO Box 645 Nelson 7040 New Zealand PH 03 5460200 nelson.govt.nz

ID	Street	Start Location	Side	Direction	Start Point	Distance	Туре	Status
6525	Isel Place	The Ridgeway	Right	South	0.1	0.1	Stop sign	Pending
6524	The Ridgeway	Isel Place	Left	South	1.0	122.0	No stopping	Pending
6523	The Ridgeway	Park view place	Right	South	148.0	27.0	No stopping	Pending
6522	Ashdonleigh Grove	Nayland Street	Right	South	158.0	56.2	No stopping	Pending
6521	Washington Road	Watson street	Right	East	22.1	26.6	No stopping	Pending
6520	Tasman Street	Bridge Street	Left	South	0.1	28.4	No stopping	Pending
6519	Princes Drive	Observatory Terrace	Left	South	249.0	18.8	No stopping	Pending
6518	Tukuka Street	Waimea road	Left	West	14.6	10.5	P15	Pending
6517	Muritai Street	Tahunanui Drive	Left	South	0.1	16.0	No stopping	Pending
6516	Dodson Valley Road	Hodgson place	Left	South	38.1	48.0	No stopping	Pending

#### Attachment 2 – Schedule of changes to the Parking and Vehicle Control Bylaw

ID	Street	Start Location	Side	Direction	Start Point	Distance	Туре	Status	
6515	Dodson Valley Road	Hodgson	Right	South	48.0	43.0	No stopping	Pending	

A2662954