



**Notice of the Ordinary meeting of**

# **Hearings Panel - Other**

## ***Te Rōpū Kaupapa***

Date:	Wednesday 27 October 2021
Time:	9.00a.m.
Location:	Council Chamber Floor 2A, Civic House 110 Trafalgar Street, Nelson

# **Agenda**

## ***Rārangi take***

### **Members**

Cr Judene Edgar (Chairperson)  
Cr Trudie Brand  
Cr Tim Skinner

**Quorum: 2**

**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 formal Council decision. For enquiries call (03) 5460436.

## ***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

## Karakia and Mihi Timatanga

### 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

4.1 Richard Holmden and John Roosen - Parking Designation on Moncrieff Avenue

Richard Holmden and John Roosen will speak about a small change in a parking designation on Moncrieff Avenue.

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

4 - 16

Document number R25925

Recommendation

#### ***That the Hearings Panel - Other***

1. ***Receives the report Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R22707) and its attachments (A2766590, A2766594); and***
2. ***Approves amendments detailed in report R22707 and its attachments (A2766590, A2766594) to the following Schedules of the Bylaw, Parking and Vehicle Control (2011), No 207:***
  - ***Schedule 4***
  - ***Schedule 8***
  - ***Schedule 9***
  - ***Schedule 13.***

## Karakia Whakamutunga

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

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### **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. Receives the report Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R22707) and its attachments (A2766590, A2766594); and***
- 2. Approves amendments detailed in report R22707 and its attachments (A2766590, A2766594) to the following Schedules of the Bylaw, Parking and Vehicle Control (2011), No 207:***
  - 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 June 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**

#### **4.1 Mobility Parking – Nayland Road / Broadgreen House**

Officers have been approached by a number of patrons of Broadgreen Society (Broadgreen House), requesting mobility parking on Nayland Road. Officers have identified a location near the kerb build-out on Nayland Road. The identified location is in close proximity to the venue and allows users to gain access to the footpath via a nearby kerb dropdown. No feedback was sought, other than the support received from the Broadgreen Society who are considered the directly affected users. The proposed mobility carpark is shown in attachment 1, titled 4.1.

#### **4.2 Bus Stop - Trafalgar Street**

Officers have identified an omission from the bylaw schedules where the Trafalgar Street Bus Stop (at Girls College) was extended in length but not updated in the bylaw schedules. For this bus stop to be enforceable, it needs to have an additional 14m of bus stop included in the bylaw. The bus stop and proposed extension are shown in attachment 1, titled 4.2.

### **Schedule 8 – Time Limited Parking Areas**

#### **4.3 235 Nayland Road (Sophisticutz) – P180 Parking**

Officers have been approached by Sophisticutz of 235 Nayland Road with the request to install time limited parking. Sophisticutz are finding that all day parking is limiting their customer's ability to access their services. As such, a P180 time limit has been requested for the carparks directly outside their business. Sophisticutz has also spoken with the owner of the Hand Clinic (neighbouring property) who support the time limited parking. Officers support the installation of a P180 time limit between 8am and 5pm Mon-Sat, noting it will help generate turn-over in the area, but still maintain resident overnight parking.

## **Schedule 9 – No Stopping and No Parking Areas**

### 4.4 Echodale Place/Fayette Lane – No Stopping

It has been brought to officers' attention that due to an increasing parking demand in Echodale Place, vehicles are now regularly being parked closer than 6 metres from the Echodale Place/Fayette Lane intersection. This parking behaviour limits the ability for larger vehicles to safely navigate the intersection and impedes visibility for those exiting Fayette Lane. No feedback was sought given that the no stopping proposed will be in areas already deemed illegal parking under the New Zealand road rules. The proposed no stopping is shown in attachment 1, titled 4.4

### 4.5 Milton Street - No Stopping

Following a recent crash and a review of the Milton Street/Weka Street intersection, officers, with support from the Police, propose to make some safety improvements at this intersection. No stopping is proposed south of the intersection on Milton Street to provide greater visibility to those vehicles exiting Weka Street (west). In addition to no stopping, officers are proposing new STOP signs (refer item 4.8). Feedback was sought from surrounding residents, with feedback received from two residents. Both supported the installation of no stopping and STOP signs. The proposed no stopping is shown in attachment 1, titled 4.5.

### 4.6 Halifax Street – Bowater Toyota Vehicle Crossing - No Stopping

Officers have received a vehicle crossing application from Bowater Toyota. Bowater Toyota are extending their current parking/sales area following the removal of an old building and require an additional vehicle entrance. An old kerb crossing still exists today (historic use) and will be used as an 'exit only' onto Halifax Street. Two paid P120 parking bays will be removed to enable re-establishment of this vehicle crossing, and officers propose to extend the current no stopping across the driveway to ensure vehicles do not park over it, or park between it and an existing vehicle entrance. The proposed no stopping is shown in attachment 1, titled 4.6. No feedback was sought on this matter given the applicant is the directly affected business.

### 4.7 Moncrieff Avenue - Proposed No Stopping

Officers have been approached by several residents of Moncrieff Ave, asking for no stopping near the driveway/garage servicing 28 and 37 Moncrieff Ave. A total of 10m of no stopping is proposed along the western side of Moncrieff Ave, extending south from number 37. Ensuring that this area remains clear of vehicles will help enable access to the garage at number 28, which is currently difficult to access when vehicles are present. The proposed no stopping is shown in Attachment 1, titled 4.7. The applicants have surveyed the residents in the cul-de-sac and have confirmed that there is community support to resolve this issue. Officers have sighted this survey and support this proposal.

## **Schedule 13 - Stop Signs**

#### 4.8 Weka Street/Milton Street Stop Signs

In addition to the no stopping proposed in item 4.5, officers propose to replace the current Give Way signs with STOP signs at the Milton Street/Weka Street intersection. Ensuring that vehicles come to a complete stop at this intersection is desired to improve safety. No stopping (as identified in item 4.5) will further improve visibility for those turning from Weka Street West. The Police support these proposed changes. Feedback relating to these changes (including the STOP signs) is detailed in item 4.5. The proposed STOP signs are shown in attachment 1, titled 4.5.

### 5. Options

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

<b>Option 1: Adopt changes as attached for Schedules 4, 8, 9 and 13 without changes. Recommended option.</b>	
Advantages	<ul style="list-style-type: none"><li>• Changes to Schedules are designed to improve safety and efficiency</li></ul>
Risks and Disadvantages	<ul style="list-style-type: none"><li>• Minor loss of parking in some places</li></ul>
<b>Option 2: Do not adopt changes as attached for schedules 4, 8, 9 and 13.</b>	
Advantages	<ul style="list-style-type: none"><li>• There are no identified advantages</li></ul>
Risks and Disadvantages	<ul style="list-style-type: none"><li>• Failure to approve changes could result in unsafe and inefficient use of the roading network.</li><li>• Failure to update Schedules will open enforcement to challenge.</li><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: A2766590 Attachment 1 - Proposed Changes Shown Indicatively on Aerials [↓](#)

Attachment 2: A2766594 Attachment 2 - Schedule of Changes to the Parking and Vehicle Control Bylaw [↓](#)

## **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 Council's 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*

A2766590



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### 4.1 Nayland Road Proposed Mobility Park



#### Legend

Proposed Mobility Park



October 2021

File Ref: A2756548  
 MO. Original map size A4.

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A2766590

Item 6: Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules:  
Attachment 1



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**4.2 - Trafalgar Street  
(Nelson College for Girls)  
Proposed Bus Stop**

**Legend**

- Bus Stop
- Proposed Bus Stop Extension

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Te Kaunihera o Whakatū

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M.O. Original map size A4.

Item 6: Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules:  
Attachment 1



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**4.3 - Nayland Road**  
**Proposed Time Limited Parking**  
**P180**



Te Kaunihera o Whakatū

 Proposed Time Limited Parking  
P180

0 5 10 m

October 2021

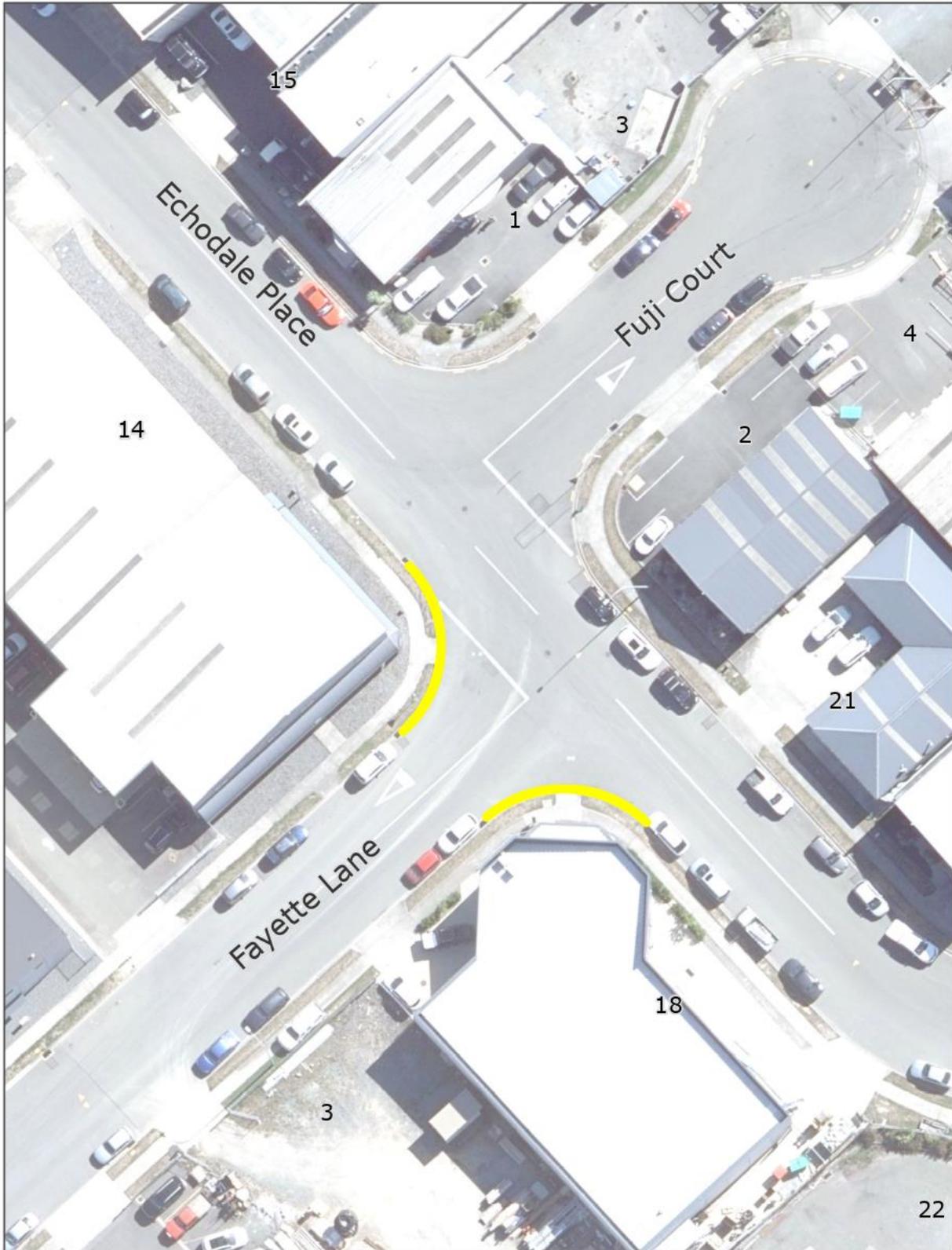
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 MO: Original / map size A4.

Item 6: Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules:  
Attachment 1



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**4.4 - Echodale Place/Fayette Lane  
Proposed No Stopping**

**Legend**  
 Proposed No Stopping

0 10 20 m

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Attachment 1



**4.5 - Milton Street**  
**Proposed Stops & Signs**  
**Proposed No Stopping**

**Legend**  
— Proposed Stop and Signs  
— Proposed No Stopping

Nelson City Council  
 Te Kaunihera o Whakatū

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 October 2021

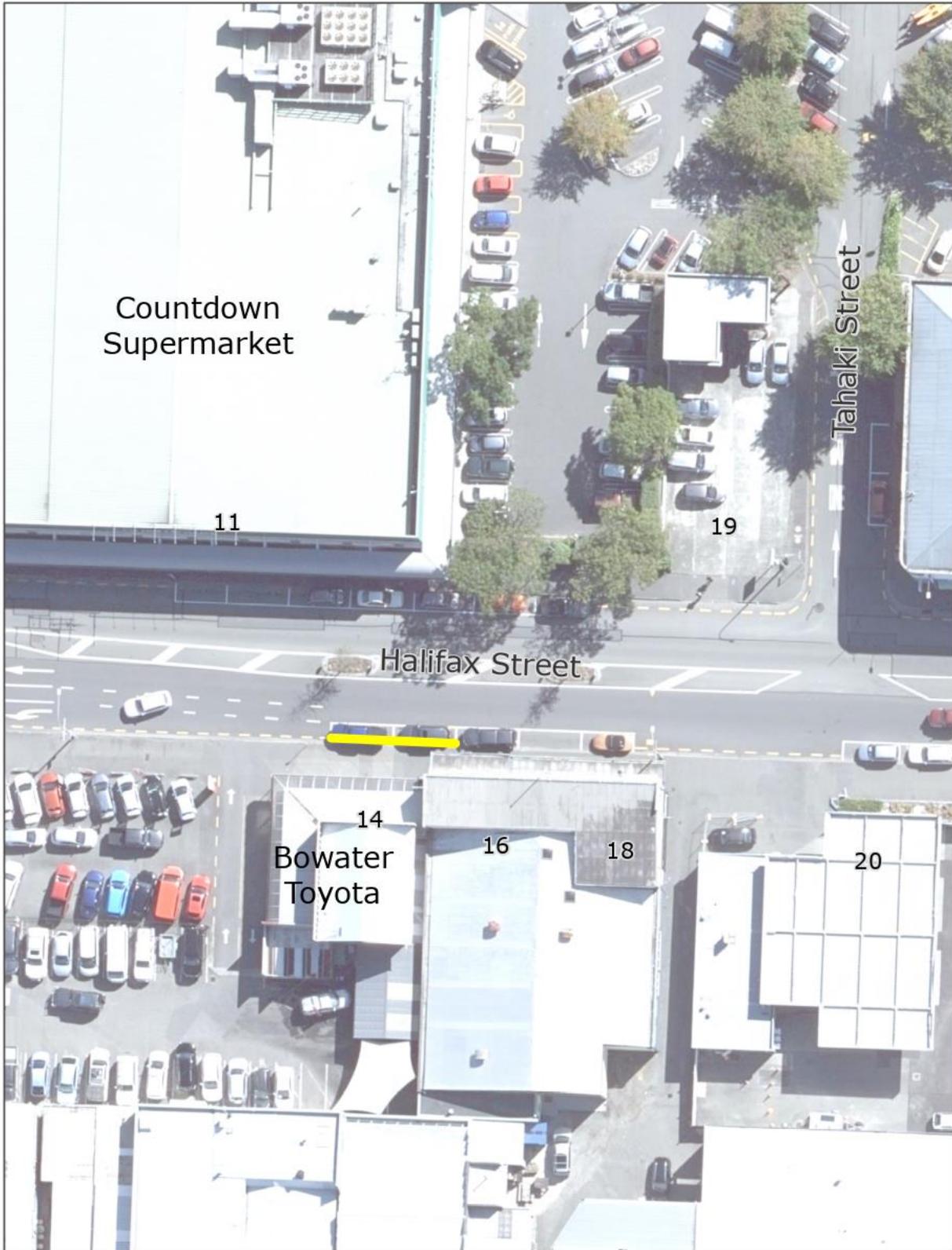
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Item 6: Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules:  
Attachment 1



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**4.6 - Halifax Street Proposed No Stopping**

**Legend**  
 Proposed No Stopping



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**4.7 - Moncrieff Avenue  
Proposed No Stopping**

**Legend**

Proposed No Stopping



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Item 6: Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules:  
Attachment 2

A2766594 Schedule of Changes to the Parking and Vehicle Control Bylaw

ID	Street	Start Location	Side	Direction	Start Point	Distance	Type	Status
6535	Nayland Road	Songer street	Left	North	176.0	7.0	Mobility Park	Pending
6534	Fayette Lane	Packham Crescent	Right	North	110.0	18.8	No stopping	Pending
6533	Fayette Lane	Packham Crescent	Left	North	110.0	17.0	No stopping	Pending
6532	Moncrieff Avenue	Moana ave	Left	North	319.0	44.0	No stopping	Pending
6531	Halifax Street	Rutherford street	Right	East	64.0	12.0	No stopping	Pending
6530	Milton Street	Weka street	Right	South	4.4	17.0	No stopping	Pending
6529	Weka Street	Eastwood place	N/A	East	60.0	0.1	Stop sign	Pending
6528	Weka Street	Eastwood place	N/A	East	50.0	0.1	Stop sign	Pending
6527	Nayland Road	Langbein street	Right	North	125.0	12.7	P180	Pending
6526	Trafalgar Street	Examiner	Right	South	114.0	39.0	Bus Stop	Pending

A2766594