



**Notice of the Ordinary meeting of**

## **Hearings Panel - Other**

### ***Te Rōpū Kaupapa***

Date:	Wednesday 15 September 2021
Time:	9.00a.m.
Location:	Council Chamber Floor 2A, Civic House 110 Trafalgar Street, Nelson or via Zoom

## **Agenda**

### ***Rārangi take***

#### **Members**

Cr Yvonne Bowater (Chairperson)  
Cr Mel Courtney  
Cr Gaile Noonan

**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. Confirmation of Minutes**

**5. Street naming application - 3D Hill Street**

**5 - 11**

Document number R26124

Recommendation

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

**1. Receives the report Street naming application - 3D Hill Street (R26124) and its attachments (A2720005, A2720000); and**

**2. Approves the name of "Tuia Lane" for the road as shown on Attachment 2 (A2720000) of report R26124.**

**6. Street naming application - Marsden Park**

**12 - 21**

Document number R26141

Recommendation

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

1. **Receives the report Street naming application - Marsden Park (R26141) and its attachments (A2723706, A2729663, A2233032); and**
2. **Approves the names of "Homestead Avenue", "McLaughlin Lane" and "Ashley Terrace" for the roads as shown on Attachment 2 (A2729663) of report R26141.**

**7. Application for naming of a private right of way - 4 Hill Street**

**22 - 26**

Document number R26172

Recommendation

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

1. **Receives the report Application for naming of a private right of way - 4 Hill Street (R26172); and**
2. **Accepts the name of "Blackbarn Close" for the right of way identified in the scheme plan for proposed subdivision RM215186.**

**Karakia Whakamutunga**

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## **Street naming application - 3D Hill Street**

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

- 1.1 To approve or decline an application for the name of "Tuia Lane" for the road within the subdivision development at 3D Hill Street shown on the attached location and scheme plans (Attachments 1 and 2).

### **2. Summary**

- 2.1 The proposed name for the subdivision meets the criteria of the Road Naming Guidelines.

### **3. Recommendation**

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

- 1. Receives the report Street naming application - 3D Hill Street (R26124) and its attachments (A2720005, A2720000); and***
- 2. Approves the name of "Tuia Lane" for the road as shown on Attachment 2 (A2720000) of report R26124.***

### **4. Background**

- 4.1 The applicant, Russell Campbell, Director of InHaus Developments Ltd, has requested the name of "Tuia Lane" for the road shown on the attached scheme plan (Attachment 2). The applicant advises that he has been seeking cultural advice of Janis De Thierry for a te reo Māori name. Council's Kaihautū has advised Janis is steeped in mātauranga Māori, and is a well-respected Māori leader within the community. She is the co-Chair of Rangitāne; a member of the Whakatū Marae board; a staff member of Te Kura Kaupapa Māori o Tuia Matangi and is a tutor of Kura Tai Waka kapa haka who will represent Whakatū/Nelson at Te Matatini in 2022.

## Item 6: Street naming application - 3D Hill Street

- 4.2 "Tuia" means to sew or bind, bringing good together, sweetness of the sound. There is an existing Tui Close in Motueka, Tui Road in Tapawera and Nelson has Tui Glen Road and Tui Way.
- 4.3 The Council has the authority to name roads, pursuant to Section 319(j) of the Local Government Act 1974. Each proposed road name is assessed according to the criteria in the Road Naming Guidelines, as follows:
- a) The name should not be the same as or similar to any other street in the Nelson and Tasman Regions.
  - b) Where appropriate, due regard should be given to historical associations within the City.
  - c) Where possible, the name should be consistent with other names in the area, or consistent with a theme in the area/subdivision.
  - d) The name should not be likely to give offence.
  - e) The name should not be commercially based.
  - f) The length of the name should be appropriate to the length of the street (i.e. short names for short streets - for mapping purposes).
  - g) The name should not be likely to cause semantic difficulties, i.e. spelling, pronunciation, or general understanding.
  - h) As a general rule, the proposed name should not be that of a living person, except in exceptional circumstances.

## 5. Evaluation

- 5.1 Officers consider that all criteria are met for the proposed name. Criteria a) is met for Tuia Lane as it is sufficiently different in sound and spelling to Tui Close, Tui Road and Tui Way. Tuia Lane will be accessed off Ara o Ngāti Kuia which is off Ngāti Rārua Street. Having a te reo name is consistent with other names in the area.
- 5.2 No alternative names have been provided.

## 6. Options

- 6.1 The Hearings Panel has two options:
- a) To approve the name of "Tuia Lane"; or
  - b) To decline the proposed name and to ask the applicant to submit alternative names.

Item 6: Street naming application - 3D Hill Street

- 6.2 Council officers recommend approving option a) as the name Tuia Lane should not cause confusion and location problems for the community and emergency services and it is compatible with other names in the area.

**Author: Mandy Bishop, Manager Consents and Compliance**

**Attachments**

Attachment 1: A2720005 - Tuia Lane location [↓](#)

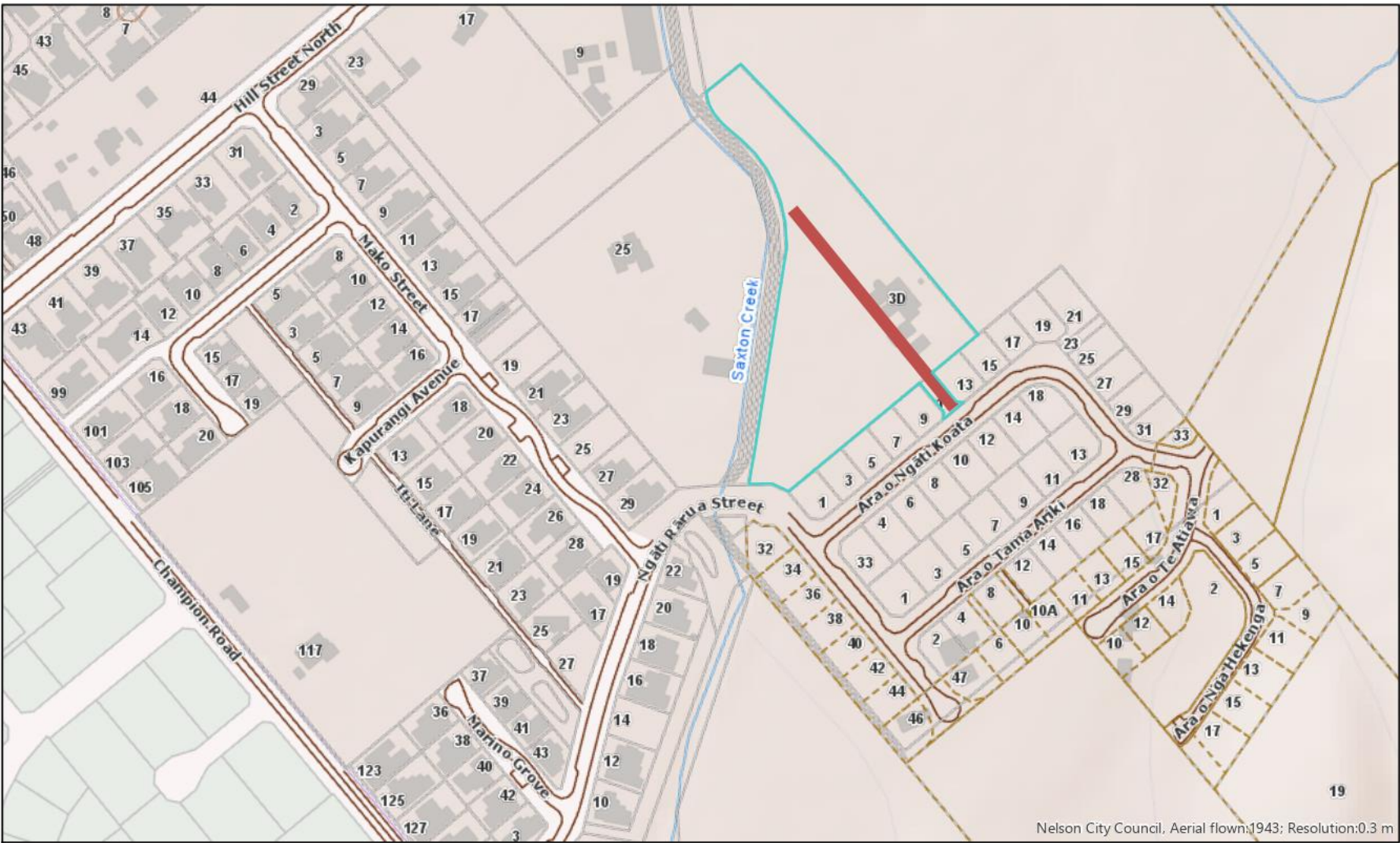
Attachment 2: A2720000 - Tuia Lane scheme plan [↓](#)

<b>Important considerations for decision making</b>	
<b>1. Fit with Purpose of Local Government</b>	The Council has the authority to name roads, pursuant to s 319(j) of the Local Government Act 1974.
<b>2. Consistency with Community Outcomes and Council Policy</b>	The decision in this report supports the community outcome that our Council provides leadership and fosters partnerships, a regional perspective and community engagement.
<b>3. Risk</b>	The recommended name will avoid confusion and problems for emergency services.
<b>4. Financial impact</b>	No additional resources are required.
<b>5. Degree of significance and level of engagement</b>	This matter is of low significance because there is no impact on any private person if the recommendation is approved. No consultation is required.
<b>6. Climate Impact</b>	Not applicable for the naming of roads in an approved subdivision.
<b>7. Inclusion of Māori in the decision making process</b>	The applicant has sought cultural advice from an iwi member. Council's Kaihautū has advised this iwi member is a well-respected Māori leader within the community.
<ul style="list-style-type: none"><li>• <b>Delegations</b></li></ul> <p>The Hearings Panel has the following delegations to consider</p> <p>Areas of responsibility:</p> <ul style="list-style-type: none"><li>• <i>Matters relating to naming features within the city</i></li></ul> <p>Powers to decide:</p> <ul style="list-style-type: none"><li>• <i>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</i></li></ul>	



Item 6: Street naming application - 3D Hill Street

*from those impacted by the Naming Rights and Sponsorship Policy  
for Community Services Facilities (5.19.3)*

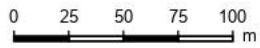


The map is an approximate representation only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law Nelson City Council, their employees, agents and contractors will not be liable for any costs, damages or loss suffered as a result of the data or plan, and no warranty of any kind is given as to the accuracy or completeness of the information represented. Nelson City Council information is licensed under a Creative Commons Attribution-NonCommercial 4.0 International License. Nelson City Council data must not be sold without prior written consent. For more information please contact us. Cadastral information derived from the Land Information New Zealand. CROWN COPYRIGHT RESERVED. [mandy.bishop@ncc.govt.nz](mailto:mandy.bishop@ncc.govt.nz)

## Tuia Lane



PO Box 645 Nelson 7040 New Zealand  
PH 03 5460200  
[www.nelson.govt.nz](http://www.nelson.govt.nz)



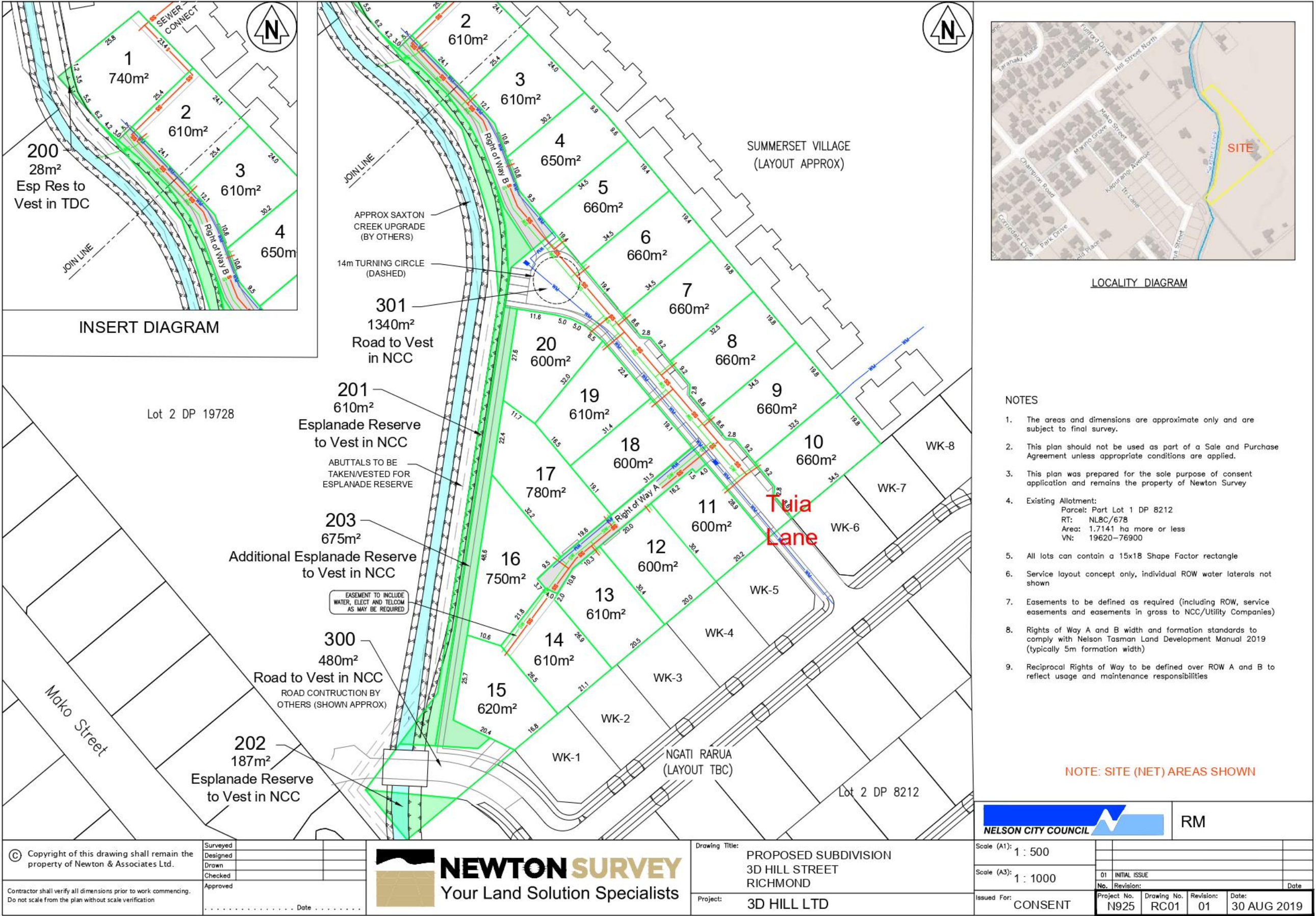
Scale 1:3,000



Date: 4/08/2021

A2720005





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## **Street naming application - Marsden Park**

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

- 1.1 To approve or decline an application for the names of "Homestead Green (or Avenue or Rise)", "McLaughlin Place (or Lane or Grove)" and "Ashley Close (or Terrace or Lane)" for the roads within the subdivision development at Marsden Park shown on the attached location and scheme plans (Attachments 1 and 2).

### **2. Summary**

- 2.1 The proposed names for the subdivision meet the criteria of the Road Naming Guidelines if the alternative naming for road types are used.

### **3. Recommendation**

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

- 1. Receives the report Street naming application - Marsden Park (R26141) and its attachments (A2723706, A2729663, A2233032); and***
- 2. Approves the names of "Homestead Avenue", "McLaughlin Lane" and "Ashley Terrace" for the roads as shown on Attachment 2 (A2729663) of report R26141.***

### **4. Background**

- 4.1 The applicant, Ashley Trust, has requested the names of "Homestead Green (or Rise or Avenue)", "McLaughlin Place (or Lane or Grove)" and "Ashley Close (or Terrace or Lane)" for the roads shown on the attached scheme plan (Attachment 2). The applicant advises that "Homestead" relates to the underlying farm operation and how it has been known during the subdivision process. The use of "Green" reflects the strip alongside and the proposed reserve areas.

## Item 7: Street naming application - Marsden Park

- 4.2 "McLaughlin Place" is named after the two now deceased owners that initiated the subdivision process. "Ashley Close" is the family name of the original developer.
- 4.3 There is an existing Mclauchlan Street in Blenheim, no other similarities exist in Nelson or Tasman.
- 4.4 The Council has the authority to name roads, pursuant to Section 319(j) of the Local Government Act 1974. Each proposed road name is assessed according to the criteria in the Road Naming Guidelines, as follows:
- a) The name should not be the same as or similar to any other street in the Nelson and Tasman Regions.
  - b) Where appropriate, due regard should be given to historical associations within the City.
  - c) Where possible, the name should be consistent with other names in the area, or consistent with a theme in the area/subdivision.
  - d) The name should not be likely to give offence.
  - e) The name should not be commercially based.
  - f) The length of the name should be appropriate to the length of the street (i.e. short names for short streets - for mapping purposes).
  - g) The name should not be likely to cause semantic difficulties, i.e. spelling, pronunciation, or general understanding.
  - h) As a general rule, the proposed name should not be that of a living person, except in exceptional circumstances.

## 5. Evaluation

- 5.1 Officers consider that all criteria in 4.4 above are met for the proposed names. Criteria a) is met for "McLaughlin" as it is sufficiently different in spelling to Mclauchlan Street and is not similar to names in the Nelson and Tasman regions.
- 5.2 However, the road naming standards (AS/NZS 4819:2011) identify that "Green", "Place", "Close" and "Grove" are used for cul-de-sacs. The applicant's second preferences of "Homestead Avenue", "McLaughlin Lane" and "Ashley Terrace" can be used for open ended road types. The applicant advises the landscaping for Homestead Avenue includes trees planted on both sides of the road. See Attachment 3 for the road standards.

## 6. Options



## Item 7: Street naming application - Marsden Park

- 6.1 The Hearings Panel has two options:
- a) To approve the names of "Homestead Avenue", "McLaughlin Lane" and "Ashley Terrace"; or
  - b) To decline the proposed names and to ask the applicant to submit alternative names.
- 6.2 Council officers recommend approving option a) as the names should not cause confusion and location problems for the community and emergency services. The names also comply with the Road Naming Standards.

**Author: Mandy Bishop, Manager Consents and Compliance**

### **Attachments**

Attachment 1: Marsden - Park street naming location plan [↓](#)

Attachment 2: A2729663 - Marsden park scheme plan [↓](#)

Attachment 3: A2233032 - Road naming standards [↓](#)

<b>Important considerations for decision making</b>
<b>1. Fit with Purpose of Local Government</b>  The Council has the authority to name roads, pursuant to s 319(j) of the Local Government Act 1974.
<b>2. Consistency with Community Outcomes and Council Policy</b>  The decision in this report supports the community outcome that our Council provides leadership and fosters partnerships, a regional perspective and community engagement.
<b>3. Risk</b>  The recommended name will avoid confusion and problems for emergency services.
<b>4. Financial impact</b>  No additional resources are required.
<b>5. Degree of significance and level of engagement</b>  This matter is of low significance because there is no impact on any private person if the recommendation is approved. No consultation is required.
<b>6. Climate Impact</b>  Not applicable for the naming of roads in an approved subdivision.
<b>7. Inclusion of Māori in the decision making process</b>  No engagement with Māori has been undertaken in preparing this report.
<ul style="list-style-type: none"><li>• <b>Delegations</b></li></ul> <p>The Hearings Panel has the following delegations to consider</p> <p>Areas of responsibility:</p> <ul style="list-style-type: none"><li>• <i>Matters relating to naming features within the city</i></li></ul> <p>Powers to decide:</p> <ul style="list-style-type: none"><li>• <i>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</i></li></ul>

Item 7: Street naming application - Marsden Park

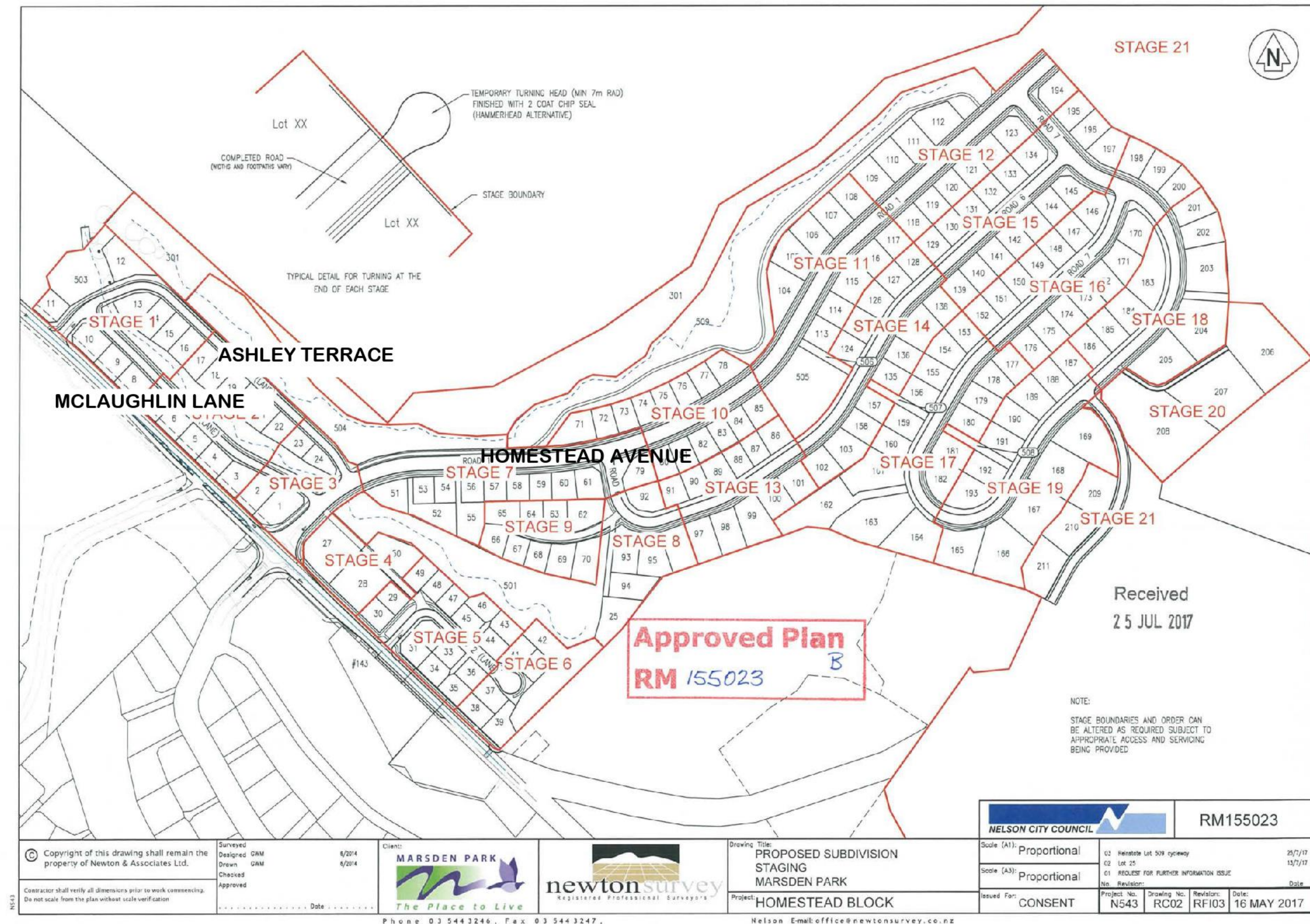
*from those impacted by the Naming Rights and Sponsorship Policy  
for Community Services Facilities (5.19.3)*





Date: 9/08/2021





A2729663

**Attachment 3**

<b>AS/NZS 4819:2011 -Appendix B - Road Types</b>					
<b>Road type</b>	<b>Abbrev</b>	<b>Description</b>	<b>Open ended</b>	<b>Cul-de-sac</b>	<b>Pedestrian only</b>
Alley	Aly	Usually narrow roadway in a city or town	x	x	
Arcade	Arc	Covered walkway with shops along the sides			x
Avenue	Ave	Broad roadway, usually planted on each side with trees	x		
Boulevard	Blvd	Wide roadway, well paved, usually ornamented with trees and grass plots	x		
Circle	Cir	Roadway that generally forms a circle, or a short enclosed roadway bounded by a circle	x	x	
Close	Cl	Short enclosed roadway		x	
Court	Crt	Short enclosed roadway, usually surrounded by buildings		x	
Crescent	Cres	Crescent shaped roadway, especially where both ends join the same thoroughfare	x		
Drive	Dr	Wide main roadway without may cross-streets	x		
Esplanade	Esp	Level roadway along the seaside, lake, or a river	x		
Glade	Gld	Roadway usually in a valley of trees	x	x	
Green	Grn	Roadway often leading to a grassed public recreation area		x	
Grove	Grv	Roadway that features a group of trees standing together		x	
Highway	Hwy	Main thoroughfare between major destinations	x		

A2233032

# Item 7: Street naming application - Marsden Park: Attachment 3

Lane	Lane	Narrow roadway between walls, buildings or a narrow country roadway	x	x	x
Loop	Loop	Roadway that diverges from and rejoins the main thoroughfare	x		
Mall	Mall	Wide walkway, usually with shops along the sides			x
Mews	Mews	Roadway in a group of houses		x	
Parade	Pde	Public roadway or promenade that has good pedestrian facilities along the side	x		
Place	Pl	Short, sometimes narrow, enclosed roadway		x	
Promenade	Prom	Wide flat walkway, usually along the water's edge			x
Quay	Qy	Roadway alongside or projecting into water	x	x	
Rise	Rise	Roadway going to a higher place or position	x	x	
Road	Rd	Open roadway primarily for vehicles	x		
Square	Sq	Roadway which generally forms a square shape, or an area of a roadway bounded by four sides	x	x	
Steps	Stps	Walkway consisting mainly of steps			x
Street	St	Public roadway in an urban area, especially where paved and with footpaths and buildings along one or both sides	x		
Terrace	Tce	Roadway on a hilly area that is mainly flat	x	x	
Track	Trk	Walkway in a natural setting			x
Walk	Walk	Thoroughfare for pedestrians			x

A2233032

Item 7: Street naming application - Marsden Park: Attachment 3

Way	Way	Short enclosed roadway		x	x
Wharf	Whrf	A roadway on a wharf or pier	x	x	x

A2233032



## **Application for naming of a private right of way - 4 Hill Street**

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

- 1.1 To accept or decline to accept an application for the naming of a private right of way resulting from a proposed subdivision at 4 Hill Street (RM215186).

### **2. Recommendation**

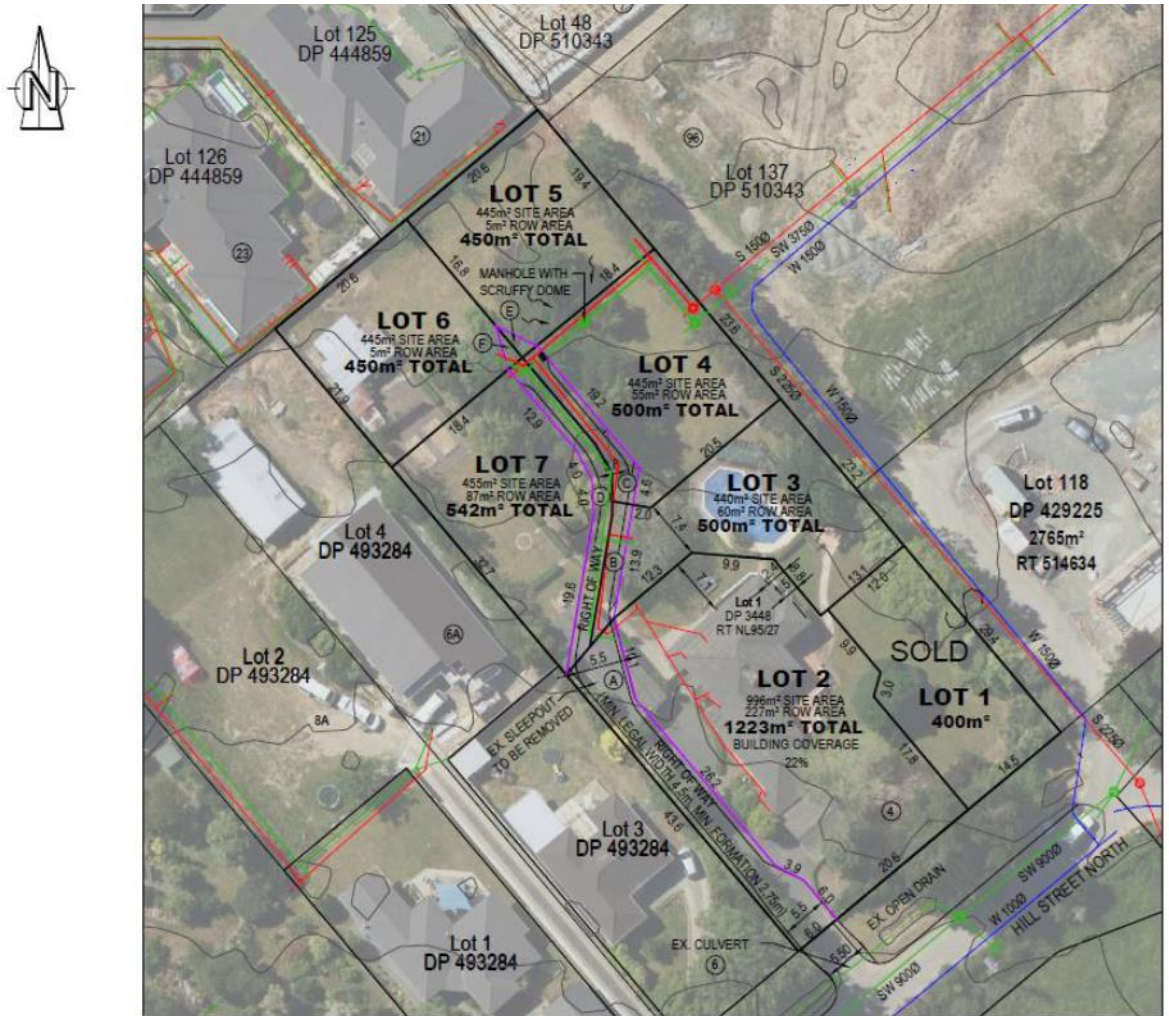
*That the Hearings Panel - Other*

- 1. Receives the report Application for naming of a private right of way - 4 Hill Street (R26172); and*
- 2. Accepts the name of "Blackbarn Close" for the right of way identified in the scheme plan for proposed subdivision RM215186.*

### **3. Background**

- 3.1 The location of the proposed subdivision and private right of way off Hill Street is identified in the scheme plan below:

Item 8: Application for naming of a private right of way - 4 Hill Street



- 3.2 The name "Blackbarn Close" is chosen as the buildings in the subdivision are all themed to look like the Black Barn Winery area in Hawkes Bay. See below for an example image:



#### **4. Discussion**

- 4.1 The Council has no authority to name private roads or ways, other than to accept a name for inclusion in Council records.

##### **Compliance with Council road naming guidelines**

- 4.2 In considering an application for the naming of a private right of way, the Council should consider the following relevant road naming guidelines:

4.2.1 Whether the name is similar in sound or spelling to any road name in the Nelson City Council and Tasman District Council areas; and

4.2.2 Whether the name is likely to cause any offence.

##### **Evaluation of the proposed name**

- 4.3 There is a Black Street and a Blackwood Street in Nelson. In Tasman there are Blackbird Valley, Blackbyre and Blackwater Roads. The proposed name is not similar to any existing name in the Nelson Tasman region.
- 4.4 The name is not likely to cause any offence.

#### **5. Options**

- 5.1 The preferred option is to accept the name "Blackbarn Close". The alternative option is for Council to decline to accept the name and ask the applicant to submit an alternative name. The applicant has indicated that instead of an alternative name they would withdraw their request to name the private right of way.

**Author: Mandy Bishop, Manager Consents and Compliance**

#### **Attachments**

Nil



<b>Important considerations for decision making</b>	
<b>1. Fit with Purpose of Local Government</b>	The Council has the authority to name roads, pursuant to s 319(j) of the Local Government Act 1974. The Council does not have the authority to name private rights of way but may accept and record the name in Council systems and records.
<b>2. Consistency with Community Outcomes and Council Policy</b>	The decision in this report supports the community outcome that our Council provides leadership and fosters partnerships, a regional perspective and community engagement.
<b>3. Risk</b>	This is a low-risk decision as checks have been carried out to ensure that the proposed name will not cause confusion to the public or to emergency services, if there are existing similar names. The name will not cause offence.
<b>4. Financial impact</b>	No additional resources are required.
<b>5. Degree of significance and level of engagement</b>	This matter is of low significance because there is no impact on any private person (no building on these lots has commenced). No consultation is required.
<b>6. Climate Impact</b>	Not applicable for the naming of a private right of way in an existing subdivision.
<b>7. Inclusion of Māori in the decision making process</b>	No engagement with Māori has been undertaken in preparing this report.
<b>8. Delegations</b>	<p>The Hearings Panel has the following delegations to consider</p> <p><i>Areas of Responsibility:</i></p> <ul style="list-style-type: none"><li>• <i>Matters relating to naming features within the city (5.19.1)</i></li></ul> <p><i>Powers to Decide:</i></p>

Item 8: Application for naming of a private right of way - 4 Hill Street

- *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 (5.19.3)*