



# AGENDA

**Ordinary meeting of the**

**Hearings Panel - Other**

**Thursday 2 February 2017  
Commencing at 9.00am  
Ruma Marama  
Floor 2A, Civic House  
110 Trafalgar Street, Nelson**

Membership: Councillor Brian McGurk (Chairperson) and Councillor Stuart Walker

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

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)
- It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the table for discussion and voting on any of these items.

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

- 2.1 Updates to the Interests Register
- 2.2 Identify any conflicts of interest in the agenda

**3. Public Forum****4. Temporary Road Closures (Nitro Circus, Kiwi Kids TRYathlon and Nelson Women's Triathlon)****5 - 16**

Document number A1699368

Recommendation:

***That the Panel******Receives the report Temporary Road Closures (Nitro Circus, Kiwi Kids TRYathlon and Nelson Women's Triathlon) (A1699368) and its attachment (A1699936); and******Approves/declines the application for the temporary road closures for the Nitro Circus on Monday-Tuesday 6-7 February 2017; and******Approves/declines the application for the temporary road closures for the Weet-Bix Kids TRYathlon on Sunday 12 March 2017; and******Approves/declines the application for the temporary road closures for the Nelson Women's Triathlon on Sunday 2 April 2017 provided that no negative feedback is received from Domett Street residents, and provided that evidence of adequate public liability insurance is received.***

**5. Street Naming Application – RM155233**

**17 - 20**

Document number A1699798

Recommendation

***That the Panel:***

***Receives the report Street Naming Application – RM155233 (A1699798) which includes Attachment 1 - Scheme Plan; and***

***Approves the name of "Village Lane" for roads "A" and "D" on the attached Scheme Plan; and***

***Approves the name of "Greenfield Lane" for roads "B" and "C" on the attached Scheme Plan.***

**6. Street Naming Application – RM105048V6**

**21 - 24**

Document number A1699792

Recommendation

***That the Panel:***

***Receives the report Street Naming Application – RM105048V6 (A1699792) which includes Attachment 1 – Scheme Plan; and***

***Notes the name of "Kingfisher Lane" for the Right of Way servicing Lots 100 to 103 on the attached Scheme Plan; and***

***Notes the name of "Blueberry Way" for the private Right of Way servicing Lots 104 to 112 on the attached Scheme Plan.***

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## **Temporary Road Closures (Nitro Circus, Kiwi Kids TRYathlon and Nelson Women's Triathlon)**

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

For the Hearings Panel to approve/decline the temporary road closure applications for the following events:

- Nitro Circus on Monday-Tuesday 6-7 February 2017 (RC 16-051)
- Weet-Bix Kiwi-Kids TRYathlon on Sunday 12 March 2017 (RC 16-036)
- Nelson Women's Triathlon on Sunday 2 April 2017 (RC 16-025)

### **2. Recommendation**

***That the Panel***

***Receives the report Temporary Road Closures (Nitro Circus, Kiwi Kids TRYathlon and Nelson Women's Triathlon) (A1699368) and its attachment (A1699936); and***

***Approves/declines the application for the temporary road closures for the Nitro Circus on Monday-Tuesday 6-7 February 2017; and***

***Approves/declines the application for the temporary road closures for the Weet-Bix Kids TRYathlon on Sunday 12 March 2017; and***

***Approves/declines the application for the temporary road closures for the Nelson Women's Triathlon on Sunday 2 April 2017 provided that no negative feedback is received from Domett Street residents, and provided that evidence of adequate public liability insurance is received.***

### **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 Council resolution of 19 March 2015 delegated authority to consider and determine applications for temporary road closures made under Schedule 10 Clause 11(e) of the Local Government Act 1974 to the Hearings Panel – Other.

### **4. Discussion**

#### **Nitro Circus**

- 4.1 On Wednesday 4 January 2017 an application was received for the temporary closure of Trafalgar Street and Hathaway Terrace for about 30 minutes some time between 6 pm and 7:15 pm on Monday 6 February 2017. If the Monday has inclement weather and the event is postponed, the closures will be for about a 30 minute period some time between 9 pm and 10:15 pm on Tuesday 7 February 2017.
- 4.2 These closures are for the safe exit of the crowd attending the Nitro Circus at Trafalgar Park. The Nitro Circus will be “featuring the best action sports stars on the planet.” Under the heading “Who we are”, its website reads:

In a world where authenticity is rare, Nitro Circus is the only action sports entertainment company that delivers the biggest and best, mind blowing cross platform entertainment for daredevils and risk taking wannabes in the spirit of fun, friendship and camaraderie.
- 4.3 This will be the first Nitro Circus show in Nelson.
- 4.4 When the circus ends, much of the expected 10,000-person crowd will exit onto Trafalgar Street from Hathaway Terrace, fully occupying the road as they walk into the CBD. The Trafalgar / Halifax signalised intersection will be closed during this time as the crowd walks through.
- 4.5 The same roads are closed whenever a crowd exceeding 8,000 people is expected at Trafalgar Park.
- 4.6 Monday 6 February is Waitangi Day. There will be few cars parked in Hathaway Car Park on this day, so the circus team, which will use Hathaway Car Park for their own vehicles and equipment, can start at the earlier time 6 pm. If the event is held on Tuesday 7 February—a regular work day—the event will begin at the later start time 9 pm to enable city workers to vacate Hathaway Car Park after work.
- 4.7 This closure is detailed in Figure 1 of Attachment 1 (the advertisement placed in the Nelson Mail). A map of the closure is Figure 2 of Attachment 1.

- 4.8 Council officers placed an advertisement in the Nelson Mail on Wednesday 18 January 2017 informing of the proposed closures and asking for written feedback by Friday 20 January 2017. (See Figure 1 of Attachment 1.) The organiser distributed this advertisement to directly affected businesses by Tuesday 17 January 2017. No feedback was received.
- 4.9 Because the application was received during the Christmas holidays and with short notice, the time window for feedback was reduced to only three days. Usually two weeks are given for feedback.
- 4.10 There will be no amplified sound on road reserve so no noise consent is necessary for the approval of this road closure application. The applicant will apply for a noise consent for the event within Trafalgar Park.
- 4.11 The Police have approved of the closure.
- 4.12 The applicant has shown evidence of adequate public liability insurance.
- 4.13 Emergency access to all areas of the closed roads will be provided at all times.
- 4.14 Council officers are working with the applicant about the required Traffic Management Plan.
- 4.15 Council officers recommend that this application be approved.

### **Kiwi Kids TRYathlon**

- 4.16 On 24 November 2016 an application was received from Sport Tasman for the temporary road closure of Beach Road and Golf Road for the Weet-Bix Kids TRYathlon to be held on Sunday 12 March 2017. It is proposed that these roads be closed from 6 am until 12:30 pm.
- 4.17 The Weet-Bix Kids TRYathlon is a long-running Nelson fixture. It has annually been held on the same route as that proposed for 2017. No complaints have been received about this event in recent years.
- 4.18 This closure is detailed in Figure 3 of Attachment 1 (the advertisement placed in the Nelson Mail). A map of the closure is Figure 4 of Attachment 1.
- 4.19 Council officers placed an advertisement in the Nelson Mail on Saturday 26 November 2016 informing of the proposed closures and asking for written feedback by Friday 9 December 2016. (See Figure 3 of Attachment 1.) The organiser distributed this advertisement to adjoining properties by Wednesday 20 November. No feedback was received.
- 4.20 As in past years, until 8:30 am on Saturday businesses and residents will be permitted vehicular access to and from their properties. From 8:30 am until roads open at 12:30 pm, businesses and residents will only be permitted vehicular access *from* their properties while there are no cyclists on the route (which occurs at intervals not exceeding ten minutes).

- 4.21 There will be no amplified sound on road reserve, so no noise consent is necessary for the approval of this road closure application.
- 4.22 The closed roads are not a bus route.
- 4.23 The Police have approved of the closure.
- 4.24 Council officers are working with the applicant about the required Traffic Management Plan.
- 4.25 The applicant has shown evidence of adequate public liability insurance.
- 4.26 Emergency access to all areas of the closed roads will be provided at all times.
- 4.27 Council officers recommend that this application be approved.

### **Nelson Women's Triathlon**

- 4.28 On 29 November 2016 an application was received from Nelson Events for the temporary road closure of Maitai Road, Maitai Valley Road and Domett Street for the Nelson Women's Triathlon to be held on Sunday 2 April 2017. Maitai Road and Maitai Valley Road will be closed from 8:15 am until 10:30 am, and Domett Street will be closed from 8:30 am until noon.
- 4.29 These roads have been closed for the Nelson Women's Triathlon annually for many years.
- 4.30 The closures of Maitai Road and Maitai Valley Road "lock" Maitai Valley residents into the valley with no alternative route. However, the applicant permits residents to exit and enter the valley at safe times during the closure period.
- 4.31 This closure is detailed in Figure 5 of Attachment 1 (the advertisement placed in the Nelson Mail). A map of the closure is Figure 6 of Attachment 1.
- 4.32 Council officers placed an advertisement in the Nelson Mail on Saturday 2 December 2016 informing of the proposed closures and asking for written feedback by Thursday 22 December 2016. (See Figure 5 of Attachment 1.)
- 4.33 The organiser distributed this advertisement to letter boxes of the Maitai Valley where possible (not all Maitai Valley properties have letter boxes), and Council staff posted the advertisement to Maitai Valley mailing addresses. A sign was also put up at Maitai Valley informing of the proposed closures. No feedback was received.
- 4.34 The organiser should also have distributed the advertisement to residents of Domett Street, but did not. These residents have therefore not had the opportunity for feedback. The organiser has been instructed to distribute the advertisement to these properties urgently.
- 4.35 A resource consent for the on-road activity is not required.



- 4.36 The Police have approved of the closure.
- 4.37 Council officers are working with the applicant about the required Traffic Management Plan.
- 4.38 The applicant has requested its public liability insurance certificate from its insurance provider, but has not yet received this. It is expected that this certificate will be received before the event.
- 4.39 Emergency access to all areas of the closed roads will be provided at all times.
- 4.40 Council officers recommend that this application be approved provided that no negative feedback is received from Domett Street residents, and provided that evidence of adequate public liability insurance is received.

## **5. Options**

- 5.1 The Hearings Panel has two options, either to allow or decline the temporary road closure applications.

## **6. Conclusion**

- 6.1 This report covers three temporary road closure applications.

Mark Hollows

**Investigator / Contract Supervisor**

## **Attachments**

Attachment 1 A1699936 – Maps and advertisements for three closure applications

## **Important considerations for decision making**

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

The Local Government Act 1974 Schedule 10 confirms that approvals for temporary road closures for event-related activities lie with Council.

### **2. Consistency with Community Outcomes and Council Policy**

The recommendations outlined in this report are directly aligned to the requirements of:

- 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 Hearings Panel may wish to consider the application(s) in the context of the attractiveness and vibrancy they add to Nelson for its residents.

### **3. Risk**

To ensure that Council meets its obligations under the Local Government Act 1974 and that it is not challenged legally by any temporary road closure applicant, it is important that the Panel decides whether to approve or decline the application(s).

### **4. Financial impact**

There is no financial impact to Council.

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

The recommendations outlined in this report are not considered significant in terms of Council's Significance and Engagement Policy.

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

Māori have not been consulted in the processing of the specific temporary road closure applications considered in this report.

### **7. Delegations**

The Council resolution of 19 March 2015 delegated authority to consider and determine temporary road closure applications made under Schedule 10 Clause 11(e) of the Local Government Act 1974 to the Hearings Panel – Other.

## PROPOSED TEMPORARY ROAD CLOSURES

### TRAFALGAR STREET

Pursuant to the Local Government Act 1974, notice is hereby given that Nitro Circus proposes to temporarily close the following roads to ordinary vehicle traffic. It will be an offence under this Act for any persons without an authorised permit to use the roads for ordinary vehicle traffic during the period of closure.

These closures are for the safe exit of people attending the Nitro Circus at Trafalgar Park.

Time of closures: About a 30-minute period some time between 6pm and 7:15pm on Monday 6 February 2017. If the Monday has inclement weather and the event is postponed, the closures will be for about a 30 minute period some time between 9pm and 10:15pm on Tuesday 7 February 2017.

The roads to be closed:

- **TRAFALGAR STREET** from Wainui Street to Halifax Street, including the **Halifax Street** / Trafalgar Street signalised intersection.
- **HATHAWAY TERRACE** from Trafalgar Street to Hathaway Car Park. Residential parking and property access on Hathaway Terrace will be available, but vehicle movements will be stopped while people exit Trafalgar Park after the circus.
- **HATHAWAY CAR PARK** and **TRAFALGAR PARK LANE** from 6am until midnight on Monday 6 February (or Tuesday 7 February). Access for businesses on Trafalgar Park Lane will be available. A coned parking area will be provided for Hathaway Court residents in Hathaway Car Park. These residents may exit via Hathaway Court.

Any person wishing to give feedback about this proposal is requested to do so in writing by Friday 20 January 2017, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email [enquiries@ncc.govt.nz](mailto:enquiries@ncc.govt.nz). The decision of whether the roads will be closed will be advertised on Council's website at [www.nelson.govt.nz](http://www.nelson.govt.nz).

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

Clare Hadley  
Chief Executive

*Figure 1—Advertisement for the Nitro Circus*



Figure 2—Map of the Road Closures for the Nitro Circus

## PROPOSED TEMPORARY ROAD CLOSURES

### BEACH ROAD, GOLF ROAD

Pursuant to the Local Government Act 1974, notice is hereby given that Sport Tasman proposes to temporarily close the following roads to ordinary vehicle traffic. It will be an offence under this Act for any persons without an authorised permit to use the roads for ordinary vehicle traffic during the period of closure. The roads to be closed:

- **Beach Road** from 60 m north of Waikare Street (adjacent no. 43 Beach Rd) to Golf Road
- **Golf Road**, from Beach Road to Parkers Road
- **Hounsell Circle**

Time of closure: Sunday 12 March 2017 from 6 am until 12:30 pm.

This closure is for the Weet-Bix Kids TRYathlon.

Any person wishing to give feedback about this closure is requested to do so in writing by Friday 9 December 2016, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email [enquiries@ncc.govt.nz](mailto:enquiries@ncc.govt.nz). The final decision of whether the road will be closed will be advertised on Council's website at [www.nelson.govt.nz](http://www.nelson.govt.nz).

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

Clare Hadley  
Chief Executive

*Figure 3—Advertisement for the Kiwi Kids TRYathlon*





Figure 4—Map of Road Closures for the Kiwi Kids TRYathlon

## PROPOSED TEMPORARY ROAD CLOSURES

### MAITAI VALLEY ROAD, DOMETT STREET

Pursuant to the Local Government Act 1974, notice is hereby given that Nelson Events Ltd proposes to temporarily close the following roads to ordinary vehicle traffic. It will be an offence under this Act for any persons without an authorised permit to use the roads for ordinary vehicle traffic during the period of closure.

Date of closure: Sunday 2 April 2017

The roads to be closed:

- **MAITAI ROAD** from Nile Street East to Maitai Valley Road, from 8:15am until 10:30am
- **MAITAI VALLEY ROAD** from Maitai Road to the Maitai Valley Motor Camp, from 8:15am until 10:30am
- **DOMETT STREET** from Hardy Street to Tasman Street, from 8:30am until noon.
- **RIVERSIDE WALKWAY** from Riverside Pool to Bridge Street, from 8:30am until noon.

This closure is for the Nelson Woman's Triathlon.

Any person wishing to give feedback about this proposal is requested to do so in writing by Thursday 22 December 2016, attention Mark Hollows of Nelson City Council, P O Box 645, Nelson, or email [enquiries@ncc.govt.nz](mailto:enquiries@ncc.govt.nz). The decision of whether the road will be closed will be advertised on Council's website at [www.nelson.govt.nz](http://www.nelson.govt.nz).

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

Clare Hadley  
Chief Executive

*Figure 5—Advertisement for the Nelson Women's Triathlon*

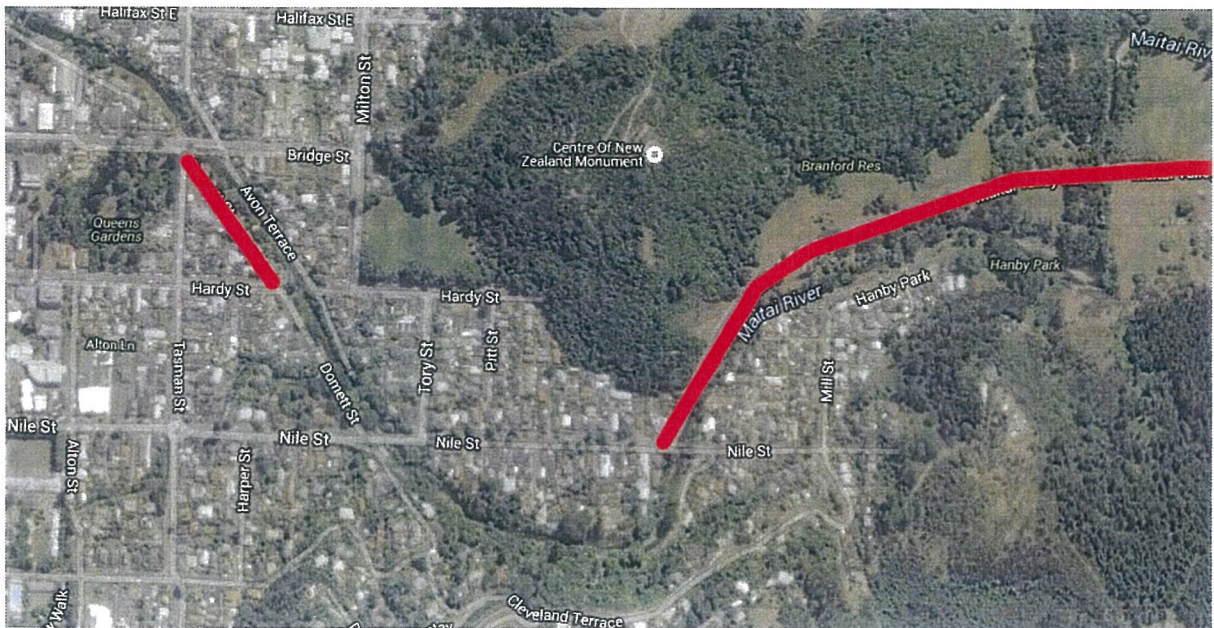


Figure 6—Map of Road Closures for the Nelson Women's Triathlon



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**STREET NAMING APPLICATION – RM155233**

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**1. Purpose of Report**

- 1.1. For the Hearing Panel to approve or decline an application for the naming of two roads to vest in the Council.
- 1.2. Details: RM155233
- Applicant: Stoke Valley Holdings Ltd; Montebello Subdivision
- Property Address: Off Montebello Avenue
- Type of roads: Public

**2. Recommendation**

***That the Panel:***

***Receives the report Street Naming Application – RM155233 (A1699798) which includes Attachment 1 Scheme Plan; and***

***Approves the name of "Village Lane" for roads "A" and "D" on the attached Scheme Plan; and***

***Approves the name of "Greenfield Lane" for roads "B" and "C" on the attached Scheme Plan.***

**3. Background**

- 3.1. The applicant has submitted the names of "Village Lane" for roads "A" and "D", and "Greenfield Lane" for roads "B" and "C".
- 3.2. The Council has the authority to name roads, pursuant to s.391 of the Local Government Act 1974.
- 3.3. Each proposed name is assessed according to the criteria in the Road Naming Policy, as follows:
- (a) The name should not be the same as or similar to any other street in the Nelson/Tasman region.
  - (b) Where appropriate, due regard should be given to historical associations within the district.
  - (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 (ie. 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.

#### **4. Discussion**

##### **Evaluation of proposed names under the Road Naming Policy**

- 4.1. For "*Village Lane*" there is no similar name in the Nelson Tasman region.
- 4.2. The proposed name does not conflict with the provisions of the Road Naming Policy.
- 4.3. For "*Greenfield Lane*" there are a number of street names in Nelson that include "Green" – ie. *Green St*, *Greenhill Road*, and *Greenslade Way*. However, there is probably sufficient difference between these and "*Greenfield Lane*", so as to not cause confusion.
- 4.4. The applicant has not provided any background information on the proposed names.

#### **5. Options**

- 5.1. The Hearings Panel has two options:
  - (a) To approve the names; or
  - (b) To decline the names and to ask the applicant to submit alternative names

**Contact officer: Kathy Mardon, Consents Administration Coordinator**

#### **Attachment:**

- 1. Scheme Plan

## **Important considerations for decision making**

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

The Council has the authority to name roads, pursuant to s.391 of the Local Government Act 1974.

### **2. Consistency with Community Outcomes and Council Policy**

The recommendations in this report are aligned to the requirements of the Council's Road Naming Policy.

### **3. Risk**

To ensure that the Council meets its obligations under the Local Government Act 1974, it is important that the Panel decides whether to approve or decline the application.

### **4. Financial Impact**

No additional resources are required.

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

The recommendations outlined in this report are not considered significant in terms of Council's Significance and Engagement Policy.

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

No consultation with Maori has been undertaken. Council Officers will provide Iwi contact details to applicants, when Iwi have put forward suggestions or where the applicant enquires about the process for obtaining Iwi input.

### **7. Delegations**

Delegation 8.8.3 (10) provides the Hearings Panel with "*The power to name all features within the city requiring naming including roads, streets ...*"

# ATTACHMENT 1 Scheme Plan



Roads A + D   
Roads B + C

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**REPORT A1699792**

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**STREET NAMING APPLICATION – RM105048V6**

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**1. Purpose of Report**

- 1.1. For the Hearings Panel to note an application for the naming of two private rights of way.
- 1.2. Details: RM105048V6  
Applicant: Marsden Park Ltd  
Property Address: Off Elderberry Lane, Marsden Park Subdivision.  
Type of road: Private Rights of Way

**2. Recommendation**

***That the Panel:***

***Receives the report Street Naming Application – RM105048V6 (A1699792) which includes Attachment 1 – Scheme Plan; and***  
***Notes the name of "Kingfisher Lane" for the Right of Way servicing Lots 100 to 103 on the attached Scheme Plan; and***  
***Notes the name of "Blueberry Way" for the private Right of Way servicing Lots 104 to 112 on the attached Scheme Plan.***

**3. Background**

- 3.1. The Council has the authority to name public roads, pursuant to s.391 of the Local Government Act 1974.
- 3.2. The Council has no authority to name private roads or ways, rather to note a name for inclusion in Council's records.

**4. Discussion****Proposed names**

- 4.1. There are no similar names in the Nelson Tasman region.
- 4.2. The proposed names are consistent with the naming of the other streets in this subdivision.
- 4.3. The proposed names can therefore be noted for inclusion in Council's records.

**5. Options**

- 5.1. The Hearings Panel has two options:

- (a) To note the names for inclusion in Council records; or
- (b) To advise the applicant the Council will not be including the names in Council records.

**Contact officer: Kathy Mardon, Consents Administration Coordinator**

**Attachments:**

1. Scheme Plan

## Important considerations for decision making

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

The Council has the authority to name roads, pursuant to s.391 of the Local Government Act 1974. The Council does not have authority to name Private Rights of Way, but may agree to note and record the names in Council systems.

### 2. **Consistency with Community Outcomes and Council Policy**

There are no relevant policies relating to the recommendations in this report.

### 3. **Risk**

Checks are carried out to avoid the proposed private road names causing confusion for the public if there are existing similar names. Confusion and inefficiencies can also be avoided if the Council records the private road names in our systems so searches can be carried out when a customer refers to this address.

### 4. **Financial Impact**

No additional resources are required.

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

The recommendations outlined in this report are not considered significant in terms of Council's Significance and Engagement Policy.

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

Māori have not been consulted in this application for private road names.

### 7. **Delegations**

The Hearings Panel has the power "*to provide advice on appropriate names for private roads, rights of way or other legal forms of private access to property*".



